



# **Arizona's Juvenile Justice System**

## **Disproportionate Minority Contact Assessment**

Final Report, February 15, 2014

## **Acknowledgments**

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Points of view expressed in this document are those of the authors and do not necessarily represent the official position or policies of the Administrative Office of the Courts, Arizona Supreme Court or the Arizona Governor's Office for Children, Youth and Families.

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**ARIZONA'S JUVENILE JUSTICE SYSTEM**

**DISPROPORTIONATE MINORITY CONTACT ASSESSMENT**

**FINAL REPORT**

**Submitted to the Arizona Governor's Office for Children, Youth,  
and Families**

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## **I. Study Purpose**

The disproportionate minority confinement mandate (DMC) was passed in 1989 as part of the reauthorization of the Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974 (Public Law 93-415, section 223[a][23]). The goal of the DMC mandate is the equitable treatment of all youth in the juvenile justice system (US Department of Justice, 2009). The DMC mandate consists of five interrelated phases: identification of DMC, assessment of possible causes, interventions, evaluation, and monitoring (Hsia, 1999).

In January 2012, the authors of this report received a grant from the Arizona Governor's Office for Children, Youth, and Families to carry out a DMC assessment of Arizona's juvenile justice system. The purpose of the DMC assessment is to identify the possible causes or factors that contribute to minority overrepresentation. Information derived from the assessment should direct policymakers on appropriate strategies and interventions for reducing DMC (Leiber and Rodriguez, 2011).

Prior DMC assessments have found that it is important to examine both racial and ethnic groups, as well as family and contextual factors, to assess how they may serve to disadvantage certain groups (Hsia Bridges, and McHale, 2004); Hamparian and Leiber, 1997; Pope, Lovell, and Hsia, 2002; Pope and Leiber, 2005). These findings have been supported by scholarly work (e.g., Armstrong and Rodriguez, 2005; Bishop, Leiber, and Johnson, 2010; Bishop and Frazier, 1988; Rodriguez, Smith, and Zatz; 2009; Rodriguez, 2007; Rodriguez, 2010; Sampson and Laub, 1993), and encouraged as a focus in the Disproportionate Minority Confinement Technical Assistance Manual (US Department of Justice, 2000, 2006, 2009).

## II. Methodology

In order to conduct an assessment study of DMC in Arizona's juvenile justice system, a mixed methodology was employed. Specifically, the assessment is based on three phases of data collection. This included analysis of secondary data from the AZJOLTS, juvenile delinquency case file content, and interviews with juvenile system officials who work directly with youth. Each phase is described in detail below. It is important to note that all safeguards associated with conducting research were followed as required by the ASU Institutional Review Board (IRB), the contract, and data sharing agreements.

### Phase 1: Secondary Data Analysis

#### *RRI*

Although DMC assessments should rely on multivariate analysis and reduce the utilization of descriptive metrics, we were asked to present statewide and county Relative Rate Index (RRI) data for the six years under observation. RRIs were calculated for each racial/ethnic group for referral and each of the six outcome measures within each county and each year. We have elected to present these data in a separate report (see Relative Rate Index Supplemental Report) because their descriptive nature does not assist in achieving the goal of a DMC assessment, that is, to identify *how* race and ethnicity matters. It is important to note that there are many shortcomings to the RRI measure. Scholars have noted that RRIs do not take into account youth or case characteristics, are highly influenced by the size of the youth population, potentially making indexes unstable and unreliable, and lack insight to police contact which is a key piece of racial/ethnic disparities in the justice system. In fact, RRIs are often mistaken as indicators of assessment data which, as noted above, fail to provide insight on the mechanisms that lead to racial/ethnic disparities (Leiber, Richetelli, and Feyerherm, 2009).

#### *Secondary Data Multivariate Analysis*

The purpose of Phase 1 was to establish whether race/ethnicity (Latinos, African Americans, Native Americans, and Whites) was a significant predictor at various juvenile court outcomes, net relevant controls. To achieve this, we relied on secondary data from JOLTS from 2005 – 2010 and conducted a series of multivariate analyses. We obtained access to statewide JOLTS data via an Administrative Order from the Arizona Supreme Court and a data sharing agreement with the Administrative Office of the Courts, Juvenile Justice Services Division. Researchers worked with research staff from the Juvenile Justice Services Division to establish the parameters for data access and analyses. Below is a description of the JOLTS measures we analyzed in this phase.

#### *Data and Measures*

A total of six juvenile court outcomes were examined. These include diversion, petition, detention, adjudication, disposition to probation, and disposition to the Arizona Department of Juvenile Corrections (ADJC). *Diversion* (yes = 1; no = 0) occurs when the decision is made by the County Attorney not to file a petition against the juvenile but instead to place the juvenile

into one of a number of diversion programs. If the juvenile complies with the program requirements, the County Attorney will not file charges. If the juvenile does not comply with the requirements, a filing of a petition alleging delinquency or incorrigibility could result. The petition process occurs when the County Attorney files a *petition* against a juvenile alleging delinquency or incorrigibility (yes = 1; no = 0). *Detention* (yes = 1; no = 0) is measured by comparing those juveniles who were detained at the detention advisory hearing with those not detained. An *adjudication hearing* is held to determine whether or not a juvenile is found to be delinquent and also to determine whether or not a juvenile is found to be a status offender (yes = 1; no = 0). *Disposition* occurs when a juvenile offender is assigned a specified type of treatment or placement post adjudication. We examined the *disposition to probation* (standard and intensive) relative to no action taken (yes = 1; no = 0) and *disposition to ADJC* relative to probation (standard and intensive probation) (yes = 1; no = 0).

Various statistical controls were included in the analyses. They include *gender* (boys = 1; girls = 0) and *age* at time of court referral. The most serious *offense at referral* (i.e., Person-felony, Person-misdemeanor, Property-felony, Property-misdemeanor, Drugs, Public Peace, with Property-felony as the omitted category) and the number of *prior felonies and misdemeanor referrals* in juveniles' official court records were analyzed. We also included a control for prior *dependency referrals* (yes = 1; no = 0). When applicable, we included *risk levels* in the analyses (high, middle, and low risk). In order to control for the possible impact that current court supervision (e.g., probation) may have on decision-making processes, a control for *court supervision* (under court supervision = 1; not under court supervision = 0) was included. We were also granted access to school status and family structure data but, due to the high volume of missing data, these measures were not included in the multivariate analyses.

In order to examine the possible effect of community factors in juvenile court outcomes, several community measures were analyzed at the census tract level. By taking juveniles' address at time of referral and linking them to census tract level data from the 2005 and 2010 Census, several community measures were included in this study. A *concentrated disadvantage index* was created using the following measures: percent living in poverty, percent receiving public assistance, percent unemployed, percent with less than a high school education, and percent of female headed households with children under 18 years old. A *delinquency* measure was also constructed (number of all delinquency referrals within each census tract and county reported to the juvenile courts during 2005- 2010) but dropped from final models given the unstable nature of the measure across jurisdictions. Measures that were not included either due to lack of data or not covered under the data sharing agreement are family income, institutional effects, program eligibility, program effectiveness, and state and local policies that could have impacted juvenile justice.

### *Analytical Strategy*

Given the nested nature of the data (i.e., juveniles within census tracts and counties), hierarchical linear models were used to analyze the data. This means that for each county, a total of 6 models for each court outcome for each year (2005-2010) were estimated, producing a total of 36 models for each county. This led to a total of **540 separate multivariate models**. This does not include the 36 models for the statewide analyses.

In order to more easily convey summary findings, logit coefficients from the models were used to predict the probabilities of juveniles receiving each particular outcome. Probabilities were calculated using the following formula:  $\Pr(y_{i=1} | x_i) = \exp(x_i B) / 1 + \exp(x_i B)$ , where  $x_i$  is a vector of values for the  $i$ th observation and  $B$  is a vector of parameters (Long, 1997). The values used to compute the conditional probabilities represent the majority of offenders in the population within specific counties and the means of the continuous variables.

Given the sheer volume of analyses, we present only the predicted probabilities of those outcomes where there were racial and ethnic disparities in at least half (3) of the years under observation. For example, if African American youth were more likely than White youth to be detained in jurisdiction A at least 3 times across the six years (e.g., in 2005, 2006, 2009), we report those findings here. Importantly, there is no research-based rule or criteria for when effects across various years should be reported. We felt that reporting those instances where county results showed half of the years with racial/ethnic effects warranted inclusion. While we could have pooled the data across all 6 years for ease in reporting race/ethnicity effects, we provided analyses by each year for the sake of thoroughness. Importantly, our task was to identify when racial/ethnic effects occurred and identify why such disparities exist. It was not to identify when racial/ethnic effects do not exist and why they do not. In instances where race/ethnicity effects were found at least 3 times, we used the coefficients from the *most recent year* (e.g., 2009 given example above) *or the year where race/ethnicity effects were the greatest in strength and magnitude*.

## Phase 2: Case File Review

In order to gain further insight into the contributing factors of DMC, we conducted an extensive review of juvenile court case files. The examination of these data is meant to identify which specific risk factors (e.g., school performance, poverty, family setting) are in any way related to DMC and court outcomes.

Time and resources prohibited a review of files from youth in all 15 counties. Instead, researchers were asked by the sponsor to include specific jurisdictions engaged in JDAI activities in this phase of the assessment. These sites include Maricopa County, Pinal County, Gila County, and Cochise County. Access to case file contents was discussed with key officials from each jurisdiction and steps were taken to identify a sample of case files for scanning and later review and analysis offsite. The presiding juvenile judge in Cochise County proposed an alternative method (i.e., researchers read, review, and collect data on site while in the presence of the juvenile court director).<sup>1</sup> Given time constraints, lack of funding available to pay for such an alternative review, and the lack of consistency in data collection this would yield, Cochise County was dropped from this phase of the assessment. In the end, a total of 330 case files were analyzed, including 200 from Maricopa County, 65 from Pinal County, and 65 from Gila County (an additional 10 files were coded from Maricopa County but not included in these analyses as they were not part of the original sample).

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<sup>1</sup> Based on email correspondence dated July 7, 2013. Cochise County officials are encouraged to work with state entities to identify the funds for the execution of their proposed method.

Case file contents included police reports, pre-disposition and disposition reports, juvenile and family histories, contact logs, the juvenile's most current information, psychological evaluations, social services and counseling documents, and court reports and documents. These qualitative case data represent a rich historical account of the lives of youth and their families from the time they were first referred to the court (between 2005 – 2010) until their case was closed (in a few cases, youth were still under court supervision). The full contents of official probation files were scanned from the 330 juvenile referrals sampled in Maricopa, Gila, and Pinal counties. Scanning was conducted separately in each jurisdiction. Electronic folders were created for each individual probation file and were categorized according to county.

Review of case file information centered on identifying internal and external attributes described in youths' case files. To achieve this, a comprehensive coding scheme was created which comprised of theoretically relevant domains including psychological factors, family dimensions, economic situation, school measures, and peer domains. Psychological variables included whether a psychological evaluation was ordered and administered, verbal IQ, and any corresponding psychoses noted in the evaluation. School variables consisted of school referrals, attendance and disciplinary issues, and school performance. Additionally, a variety of family and caregiver variables were collected, such as family structure, exposure to violence, maltreatment, prenatal drug use by youths' mothers, domestic violence in the household, parent and sibling crime, teenage parenting, CPS involvement, and parenting styles. Other attributes included whether the juvenile showed remorse or guilt for the delinquent act, impulsivity, and whether the juvenile was cooperative with the probation officer in light of supervision. Youth substance use, peer influences, gang involvement and romantic relationships were also coded. Poverty status and whether youths' families had private insurance were also collected from the case files.

Three independent raters collected these data to ensure inter-rater reliability and then met to address any discrepancies in data abstraction. As another check for data saturation, NVIVO 10 was used to capture any additional data not found by the raters. NVIVO is used for a variety of qualitative data within the social sciences and is a standard tool for this type of analysis. Upon completion of data collection, data files in SPSS and Stata were created for each county based on the coding scheme described above. Second, descriptive analyses were conducted to identify which attributes varied significantly across race and ethnicity, based on those court outcomes where race/ethnicity were significant predictors reported in Phase 1. Differences across racial and ethnic groups were assessed using a Pearson's chi-square and a one-way analysis of variance (ANOVA). Specifically, *all* theoretically grounded attributes collected from the case files were examined. Comparisons were conducted across racial and ethnic groups on all the attributes and we report only those attributes that were significantly associated with race/ethnicity in juvenile court processes in each of the respective jurisdictions.

It is important to note that the qualitative data presented in this report are descriptive in nature and are not representative of all youth. Further, caution should be exercised when trying to link these data with larger intervention efforts as we were only able to collect data that were in the case files. Case file content varied across jurisdictions and it is possible that relevant insight regarding the youth and his/her case was not reported in the file, leading to an incomplete picture of youths' life circumstances.

### Phase 3: Interviews

The third phase of the study involved analyzing data from semi-structured individual interviews with detention/intake staff, treatment staff and service providers, probation officers, and various court officials including defense attorneys, prosecuting attorneys, and judges. As with Phase 2, we were asked by the sponsor to include officials from counties participating in JDAI state activities. As such, we asked key officials in each county to identify a list of probation and court officials and service providers whose participation we should solicit. Each county provided us with such a list. A total of 106 individuals were included in this phase (Maricopa County provided a list of 63 individuals, Pinal County provided a list of 24 officials, Gila County provided a list of 4 officials, and Cochise County provided a list comprised of 15 individuals). It is important to note that invitations by several counties for researchers to join various agency committees also provided great insight on county-level priorities and challenges in addressing the needs of youth in the juvenile justice system.

Recruitment procedures began with an email sent to the potential interviewee, with follow-up emails. All interview participants were guaranteed confidentiality and scheduled at the convenience of the interviewee in terms of time and location. Some interviews were conducted in person while others were conducted over the telephone. Interviews ranging from approximately 30 to 45 minutes were conducted by the two Co-Principal Investigators. Extensive notes were taken during the interviews by researchers for the examination of actors' perceptions of the mechanisms at play and key factors in decision-making processes. Responses from officials were typed and reviewed for the identification of dominant themes by the two Co-Principal Investigators. Taking an inductive approach, the Co-Principal Investigators reviewed each interview and independently created categories for the responses by each official. After systematically identifying the responses, the Co-Investigators used thematic content analyses to capture the dominant themes present in officials' responses (Lofland and Lofland, 1995). The Co-Investigators convened over several meetings to discuss the themes and to come to agreement on how best to characterize the aggregate responses. They compared their analyses, looking specifically for points of divergence. Overall, the Co-Investigators varied little in their identification of dominant themes. However, when specific discrepancies were found, they reviewed and discussed each interview until consensus was reached. Importantly, the purpose of this task was not to single out any one official but rather to provide a summary of their responses. Further, confidentiality as prescribed by Institutional Review Board standards prohibits the identification of individuals. In an effort to provide context to the responses, when appropriate, we do identify the broad professional category of the official respondent (e.g., law enforcement, probation officer, treatment provider). We do not provide this information, however, in situations where the official could be recognized and confidentiality breached.

The questions that guided the areas of inquiry are listed below:

1. What factors do you think might explain racial/ethnic differences in juvenile court outcomes in (insert name) County (outcomes may refer to any stage in the process)?
2. Are there differences you have noticed in how kids from different racial/ethnic groups become

involved in the juvenile justice system?

3. Are there policies or practices - at any stage in the system-- that you think have led to racial/ethnic disparities in (insert name) County?

4. Are there policies or practices that you think have helped to reduce racial/ethnic disparities in (insert) County? Are there strategies that you think might work better, that you would like to see tried out?

### III. Findings

#### Phase 1: Secondary Data Analysis

As noted in the methodology, in order to more easily convey summary findings from the nearly 600 multivariate models, we present only the predicted probabilities of those outcomes where there were racial and ethnic disparities in at least half (3) of the years under observation. As noted in the methodology, we use the coefficients from the most recent year or the year where race/ethnicity effects were greatest in strength and magnitude. Before we present those findings, below is a summary table outlining findings aggregated across all counties (statewide) and at the county level where racial and ethnic differences were found in at least 3 of the six years under examination. Importantly, this graph only depicts significant racial/ethnic differences in court outcomes. Specifically, in some instances, minority youth were more likely than White youth to receive a certain outcome, while in other cases, White youth were more likely than minority youth to receive the outcome. Thus, we recommend reviewing the predicted probabilities provided below as they explicitly illustrate the nature of the race/ethnicity effects.

#### **Summary Findings: Race/Ethnicity Effects in Court Outcomes**

	Diversion	Detention	Petition	Adj.	Probation	ADJC
State		✓	✓	✓		✓
Apache			✓		✓	
Cochise			✓		✓	
Coconino		✓	✓	✓	✓	
Gila	✓		✓			
Graham			✓	✓		
Greenlee						
La Paz			✓	✓		
Maricopa	✓	✓	✓	✓	✓	✓
Mohave			✓	✓	✓	✓
Navajo				✓	✓	
Pima	✓	✓	✓	✓	✓	✓
Pinal			✓	✓		
Santa Cruz				✓		
Yavapai	✓		✓			
Yuma	✓		✓	✓	✓	

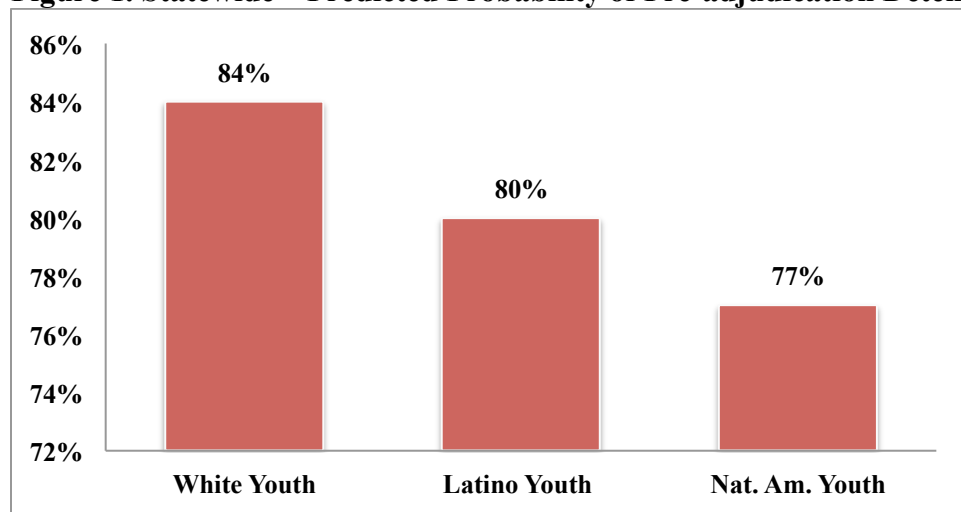
#### *Statewide Analysis*

In Arizona, racial and ethnic disparities were found in the following court outcomes: detention, petition, adjudication and disposition to ADJC. We caution on the creation of policy based on

these analysis as statewide analysis fail to take into count the more nuanced court processes and outcomes that exists at the county level.<sup>2</sup>

In 2009, the probability of pre-adjudication detention was higher for White youth than Latino and Native American youth. In 2009, the probability of having a petition filed was higher for African American and Native American youth than Latino youth and White youth. In 2007, the probability of adjudication was higher for Latino youth than White and Native American youth. In 2007, the probability of ADJC disposition was highest for Native American youth, followed by African American, Latino, and White youth.

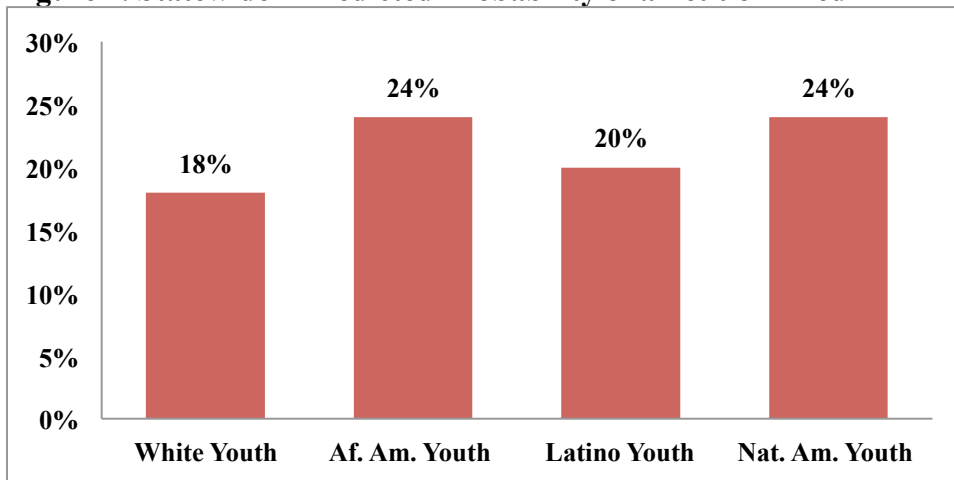
**Figure 1. Statewide – Predicted Probability of Pre-adjudication Detention**



*Measures:* Boy, 16 years old, 1 prior referral, no prior dependency referral, low-risk, obstruction of justice referral, and mean community disadvantage.

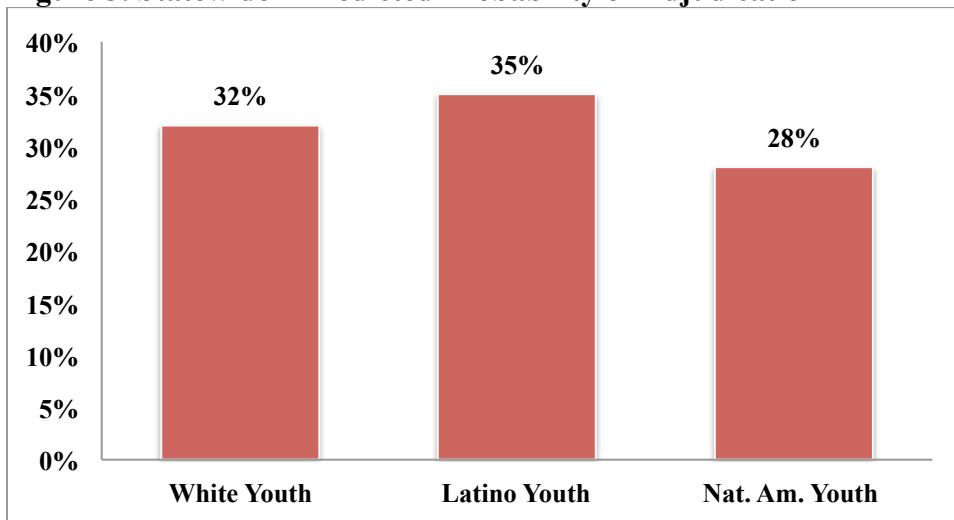
<sup>2</sup> An extensive body of research on courts and sentencing has shown that local courtroom culture is distinct in each jurisdiction given the context of the court (see for example, Bishop et. al, 2010; Britt, 2000; Feldmeyer and Ulmer, 2011; Frazier, et. al, 1992; Kramer and Ulmer, 2008; Leiber, 2003). The organizational structure of the court, case processing (e.g., caseloads by judges), and routine practices of courtroom actors play a significant role in shaping court outcomes. Not surprisingly, race/ethnicity effects will vary in court outcomes across contexts. An aggregate analyses without empirical data on local practices and norms risks masking these differences.

**Figure 2. Statewide – Predicted Probability of a Petition Filed**



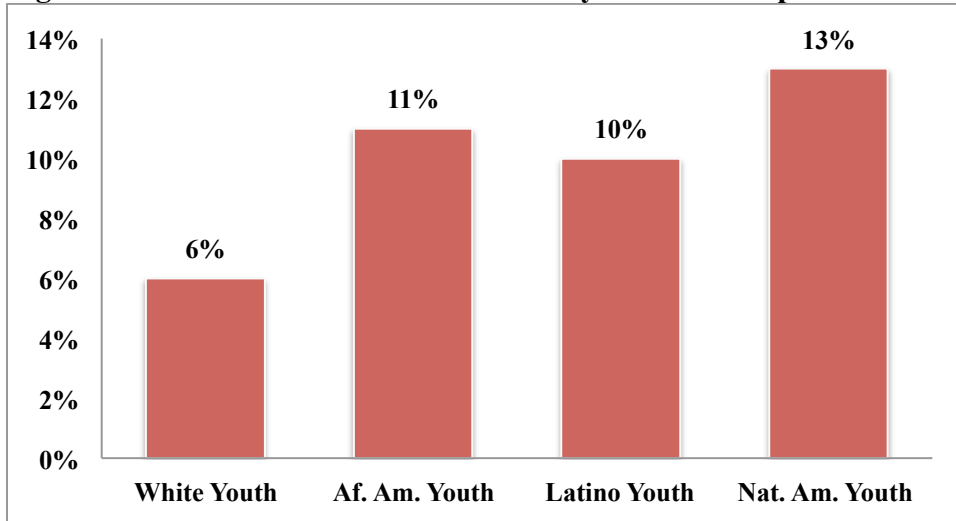
*Measures:* Boy, 16 years old, 1 prior referral, no prior dependency referral, low-risk, obstruction of justice referral, and mean community disadvantage.

**Figure 3. Statewide – Predicted Probability of Adjudication**



*Measures:* Boy, 16 years old, 1 prior referral, no prior dependency referral, low-risk, obstruction of justice referral, and mean community disadvantage.

**Figure 4. Statewide – Predicted Probability of ADJC Disposition**

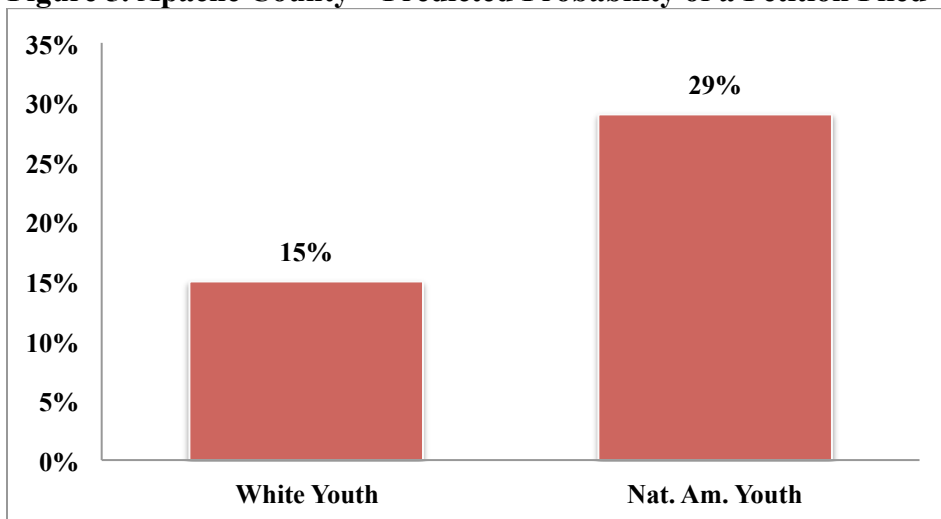


*Measures:* Boy, 16 years old, 1 prior referral, no prior dependency referral, low-risk, obstruction of justice referral, and mean community disadvantage.

#### *Apache County*

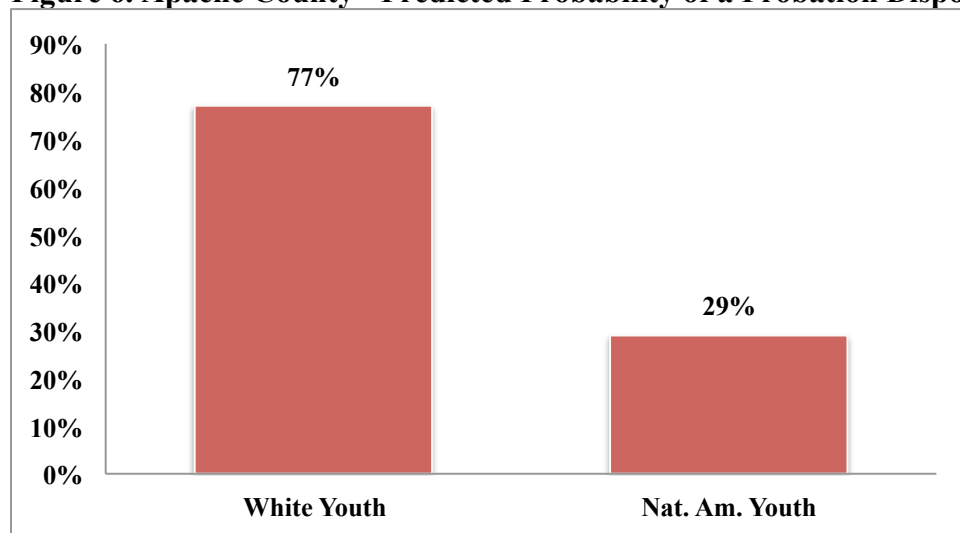
In Apache County, racial and ethnic disparities were found in the following court outcomes: petition and disposition of probation. In 2009, the probability of having a petition filed was higher for Native American youth than White youth. In 2007, the probability of having a probation disposition was higher for Whites than Native American youth.

**Figure 5. Apache County – Predicted Probability of a Petition Filed**



*Measures:* Boy, 16 years old, 1 prior referral, 1 prior dependency referral, low-risk, drug referral, and mean community disadvantage.

**Figure 6. Apache County - Predicted Probability of a Probation Disposition**

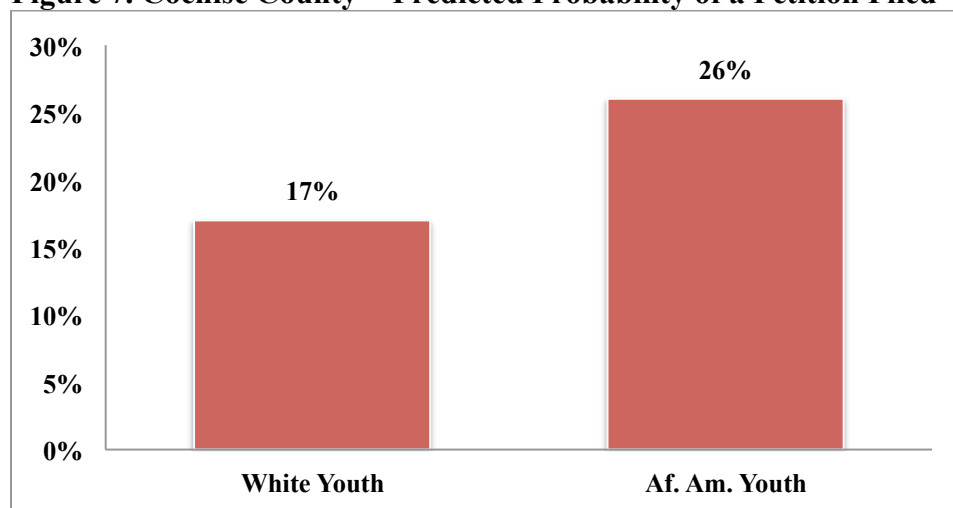


*Measures:* Boy, 16 years old, 1 prior referral, 1 prior dependency referral, low-risk, drug referral, and mean community disadvantage.

### *Cochise County*

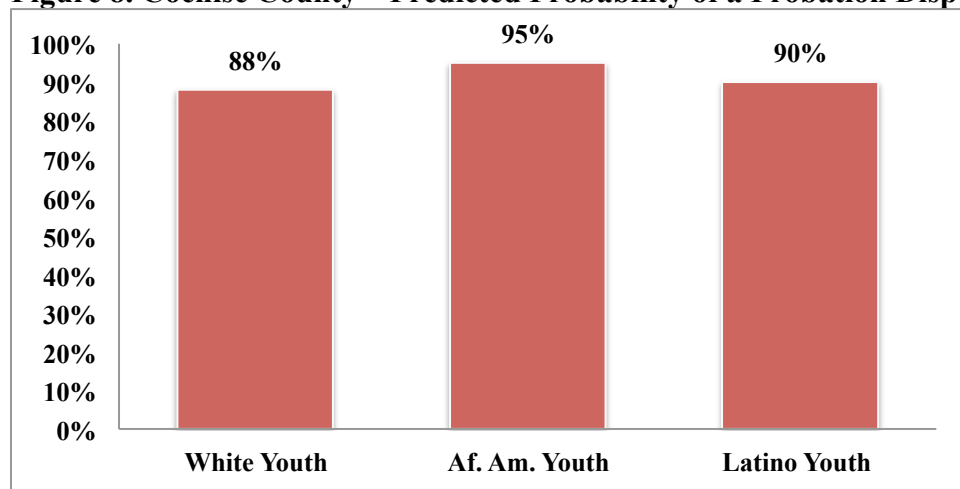
In Cochise County, racial and ethnic disparities were found in the following court outcomes: petition and disposition of probation. In 2005, the probability of having a petition filed was higher for African American youth than White youth. In 2008, the probability of having a probation disposition was higher for African American and Latino youth than White youth.

**Figure 7. Cochise County - Predicted Probability of a Petition Filed**



*Measures:* Boy, 16 years old, 1 prior referral, 1 prior dependency referral, low-risk, obstruction of justice referral, and mean community disadvantage.

**Figure 8. Cochise County – Predicted Probability of a Probation Disposition**

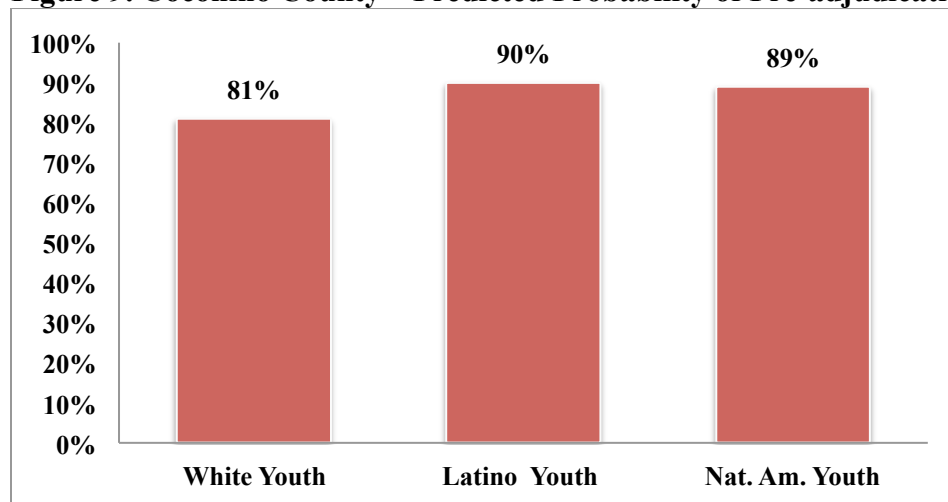


*Measures:* Boy, 16 years old, 1 prior referral, 1 prior dependency referral, low-risk, obstruction of justice referral, and mean community disadvantage.

#### *Coconino County*

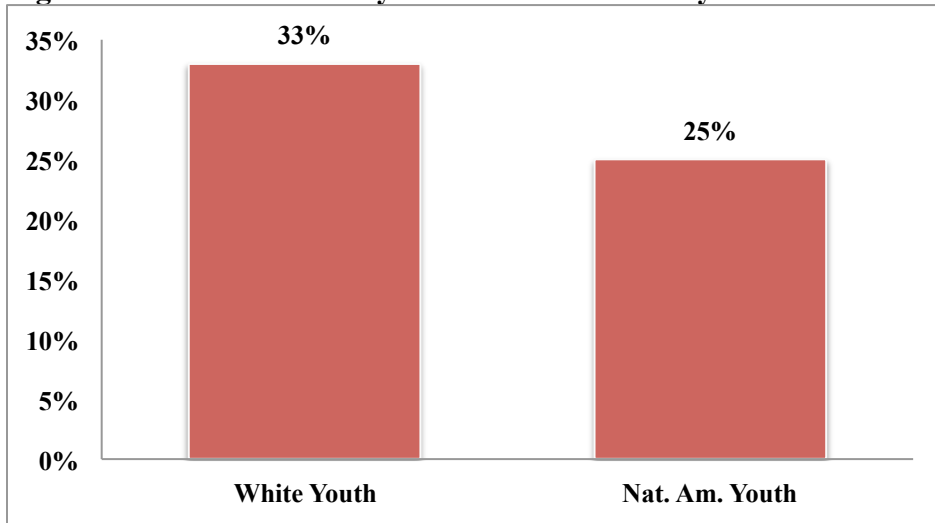
In Coconino County, racial and ethnic disparities were found in the following court outcomes: detention, petition, adjudication, and disposition of probation. In 2005, the probability of pre-adjudication detention was higher for Latino and Native American youth than White youth. In 2009, the probability of having a petition filed was higher for Whites than Native American youth. In 2007, the probability of being adjudicated was higher for Latino and Native American youth than White youth. In 2007, the probability of having a probation disposition was higher for Latino and Native American youth than White youth.

**Figure 9. Coconino County – Predicted Probability of Pre-adjudication Detention**



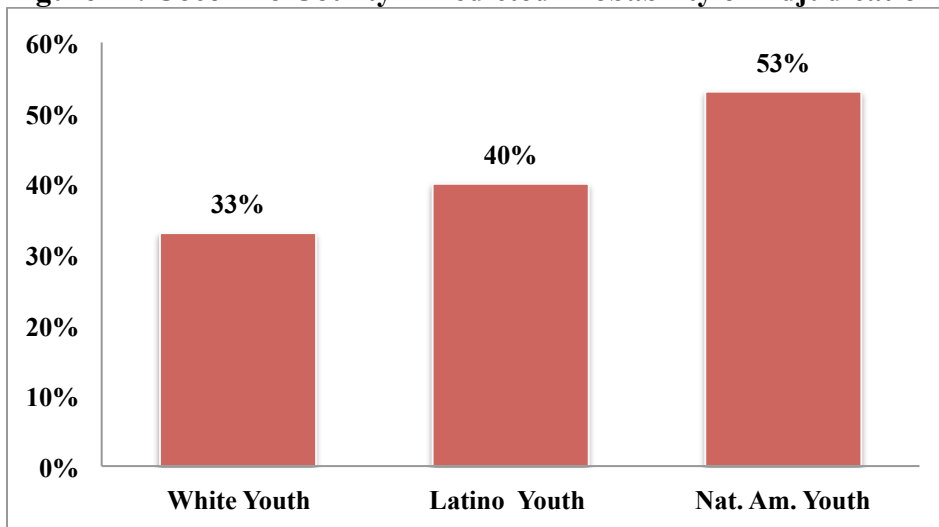
*Measures:* Boy, 16 years old, 1 prior referral, 1 prior dependency referral, low-risk, public peace referral, and mean community disadvantage.

**Figure 10. Coconino County - Predicted Probability of a Petition Filed**



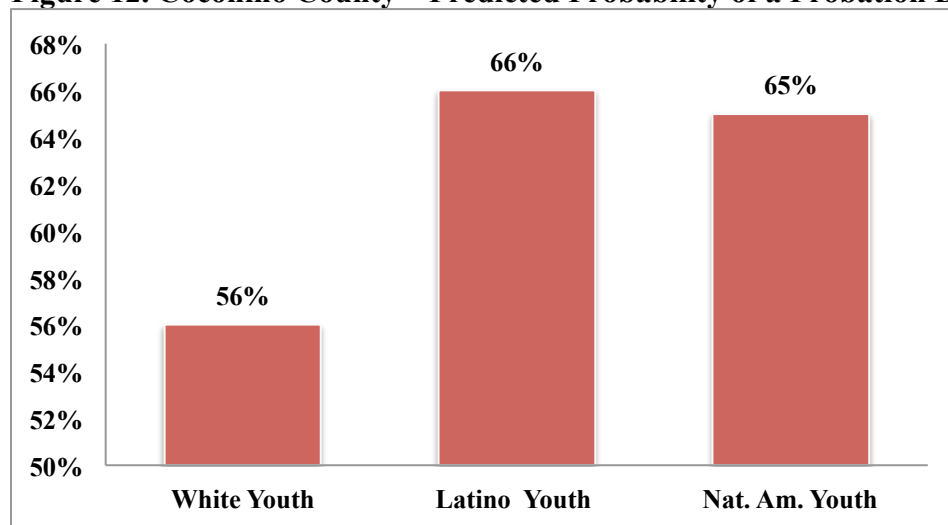
*Measures:* Boy, 16 years old, 1 prior referral, 1 prior dependency referral, low-risk, public peace referral, and mean community disadvantage.

**Figure 11. Coconino County - Predicted Probability of Adjudication**



*Measures:* Boy, 16 years old, 1 prior referral, 1 prior dependency referral, low-risk, public peace referral, and mean community disadvantage.

**Figure 12. Coconino County – Predicted Probability of a Probation Disposition**

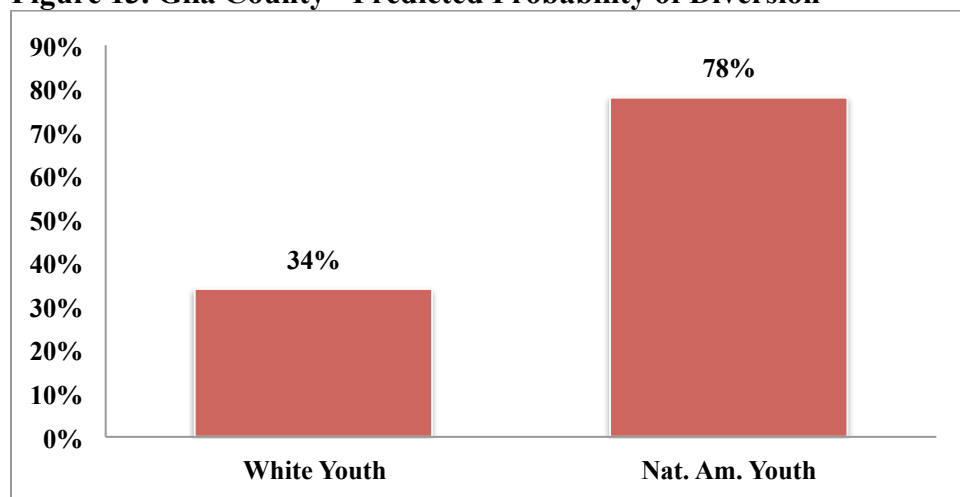


*Measures:* Boy, 16 years old, 1 prior referral, 1 prior dependency referral, low-risk, public peace referral, and mean community disadvantage.

### *Gila County*

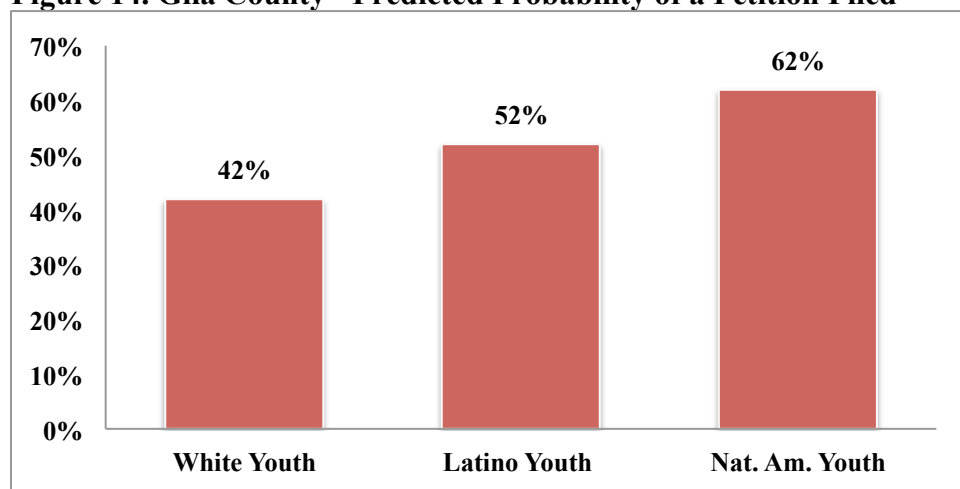
In Gila County, racial and ethnic disparities were found in the following court outcomes: diversion and petition. In 2009, the probability of diversion was higher for Native American youth than White youth. In 2009, the probability of having a petition filed was higher for Latino and Native American youth than White youth.

**Figure 13. Gila County - Predicted Probability of Diversion**



*Measures:* Boy, 16 years old, 1 prior referral, 1 prior dependency referral, low-risk, public peace referral, and mean community disadvantage.

**Figure 14. Gila County - Predicted Probability of a Petition Filed**

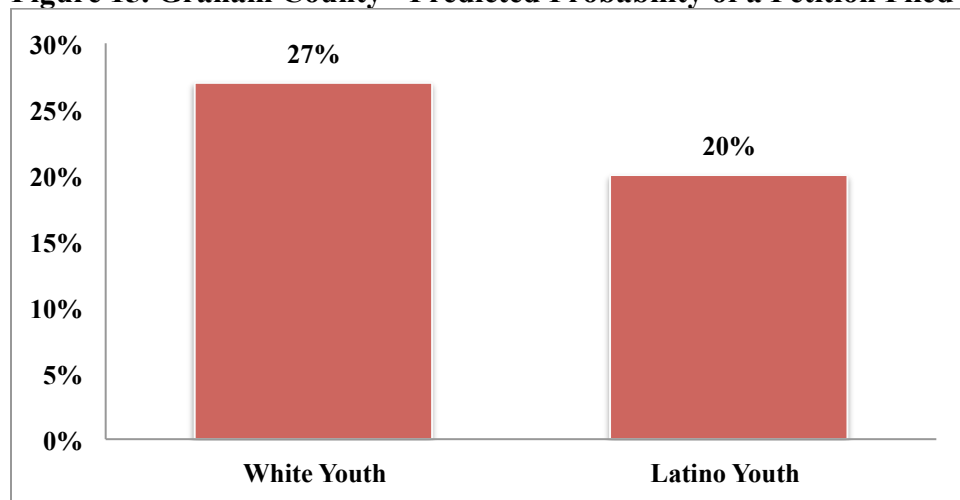


*Measures:* Boy, 16 years old, 1 prior referral, 1 prior dependency referral, low-risk, obstruction of justice referral, and mean community disadvantage.

#### *Graham County*

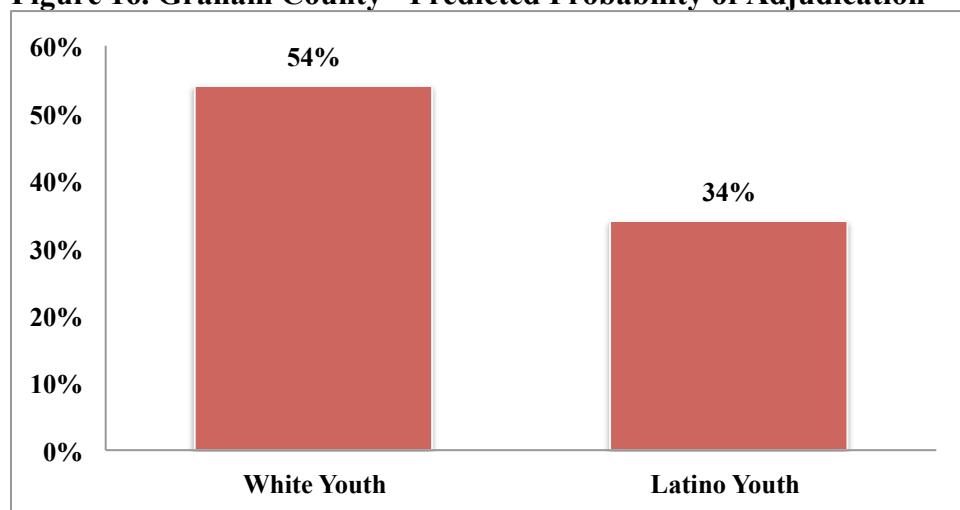
In Graham County, racial and ethnic disparities were found in the following court outcomes: petition and adjudication. In 2006, the probability of having a petition filed was higher for White youth than Latino youth. In 2010, the probability of adjudication was higher for White youth than Latino youth.

**Figure 15. Graham County - Predicted Probability of a Petition Filed**



*Measures:* Boy, 16 years old, 1 prior referral, 1 prior dependency referral, low-risk, obstruction of justice referral, and mean community disadvantage.

**Figure 16. Graham County - Predicted Probability of Adjudication**



*Measures:* Boy, 16 years old, 1 prior referral, 1 prior dependency referral, low-risk, obstruction of justice referral, and mean community disadvantage.

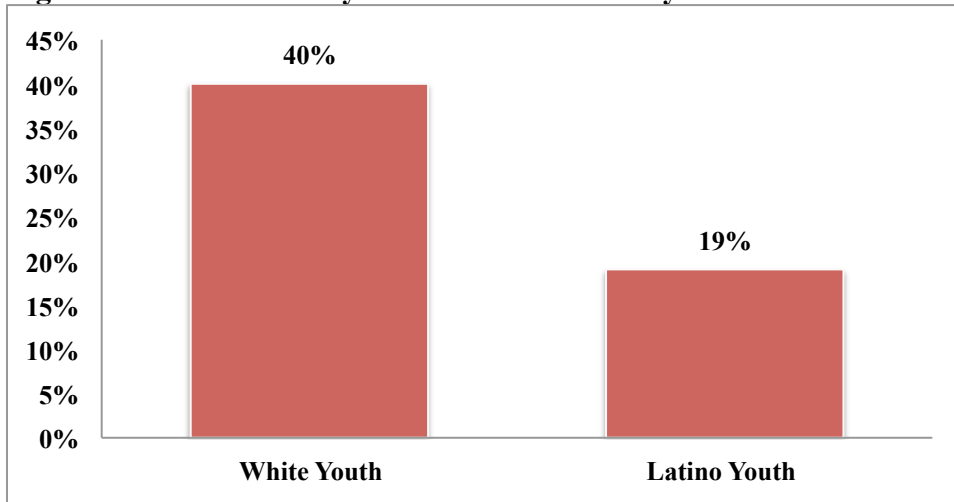
#### *Greenlee County*

There were no racial/ethnic disparities found in this jurisdiction across the observed court outcomes.

#### *Laz Paz County*

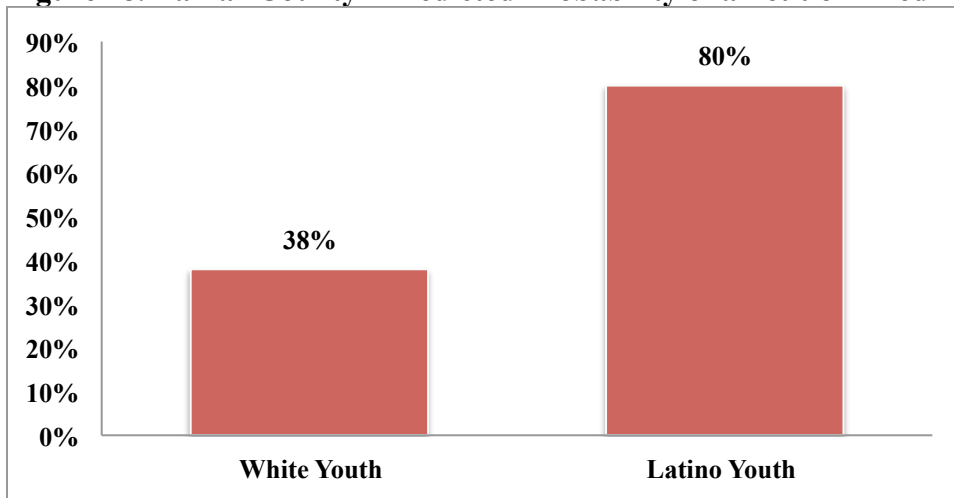
In La Paz County, racial and ethnic disparities were found in the following court outcomes: petition and adjudication. Importantly, depending on the year of analysis, minorities were either more likely or less likely to have a petition filed. Below we present those varying race/ethnicity effects. Depending on the year, in this case, 2009 or 2010, the probability of having a petition filed is higher for either Latino or White youth. In 2006, the probability of adjudication was higher for White youth and than Latino youth.

**Figure 17. La Paz County - Predicted Probability of a Petition Filed**



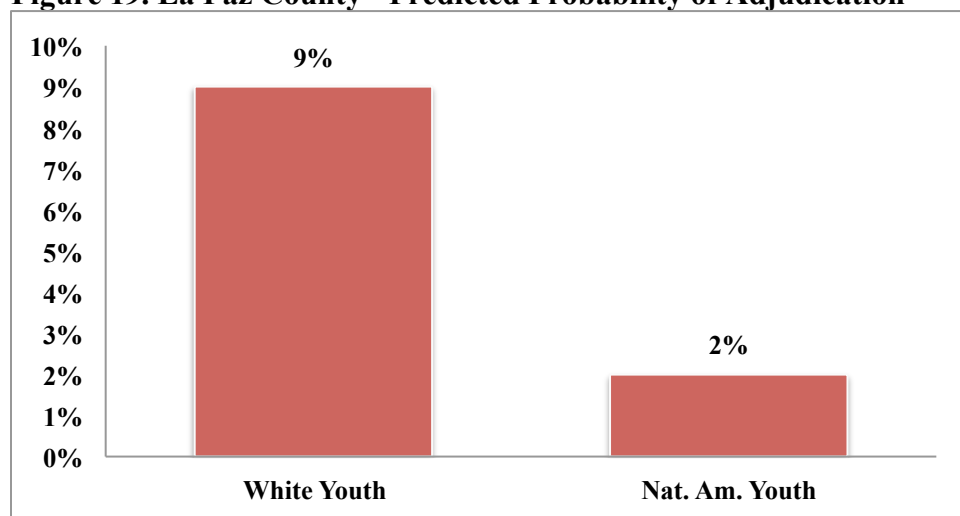
*Measures:* Boy, 16 years old, 1 prior referral, no prior dependency referral, low-risk, public peace referral, and mean community disadvantage.

**Figure 18. La Paz County - Predicted Probability of a Petition Filed**



*Measures:* Boy, 16 years old, 1 prior referral, 1 prior dependency referral, low-risk, public peace referral, and mean community disadvantage.

**Figure 19. La Paz County - Predicted Probability of Adjudication**

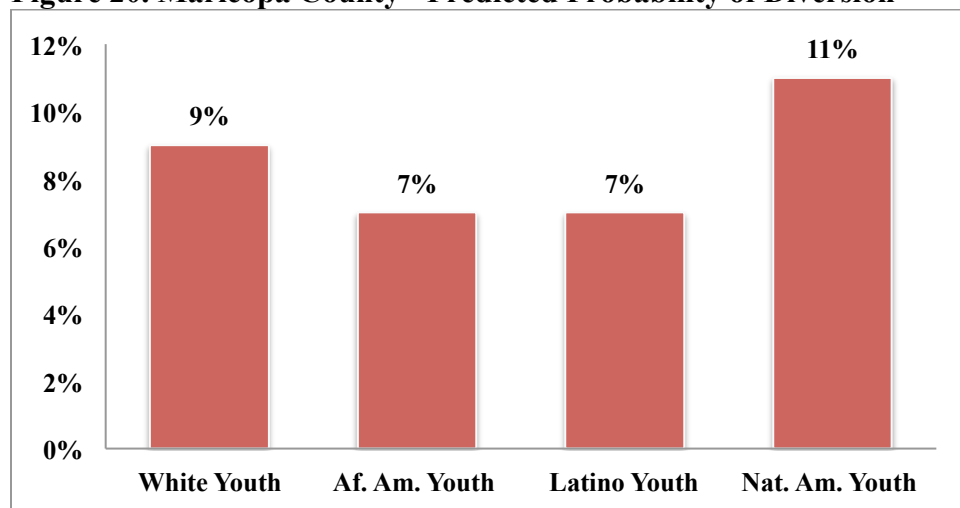


*Measures:* Boy, 16 years old, 1 prior referral, 1 prior dependency referral, low-risk, public peace referral, and mean community disadvantage.

### *Maricopa County*

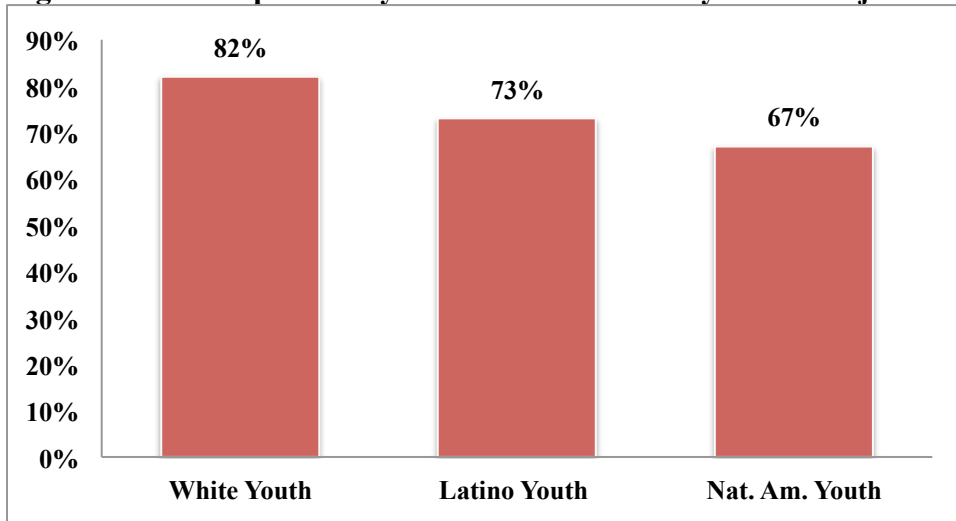
In Maricopa County, racial and ethnic disparities were found in the 6 observed court outcomes. In 2008, the probability of diversion was highest for Native American youth. In 2008, pre-adjudication detention was higher for White youth than Latino and Native American youth. In 2010, the probability of having a petition filed was higher for Native American youth than other racial/ethnic groups. In 2006, the probability of being adjudicated was higher for White youth than Latino youth. In 2010, the probability of having a probation disposition was higher for White youth than Latino youth. In 2009, the probability of a disposition of commitment to ADJC was highest for Native American youth.

**Figure 20. Maricopa County - Predicted Probability of Diversion**



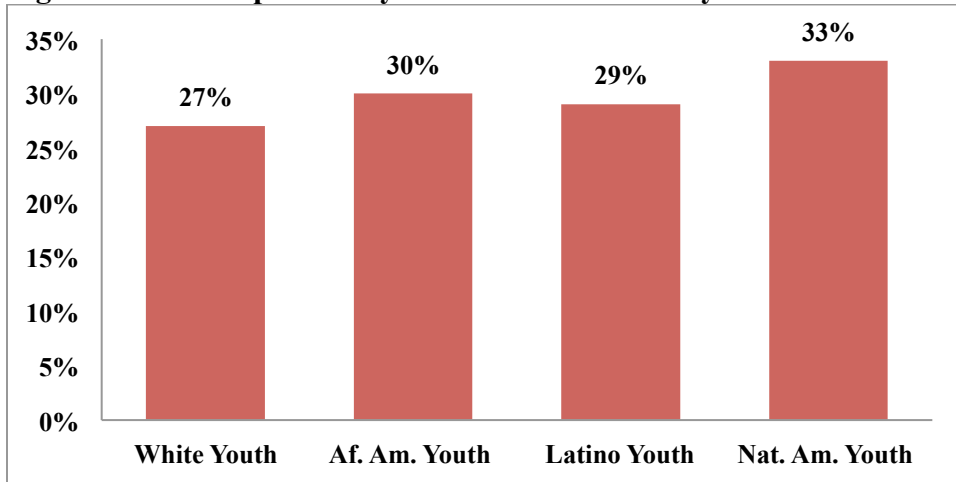
*Measures:* Boy, 16 years old, 1 prior referral, no prior dependency referral, low-risk, misdemeanor property referral, and mean community disadvantage.

**Figure 21. Maricopa County - Predicted Probability of Pre-Adjudication Detention**



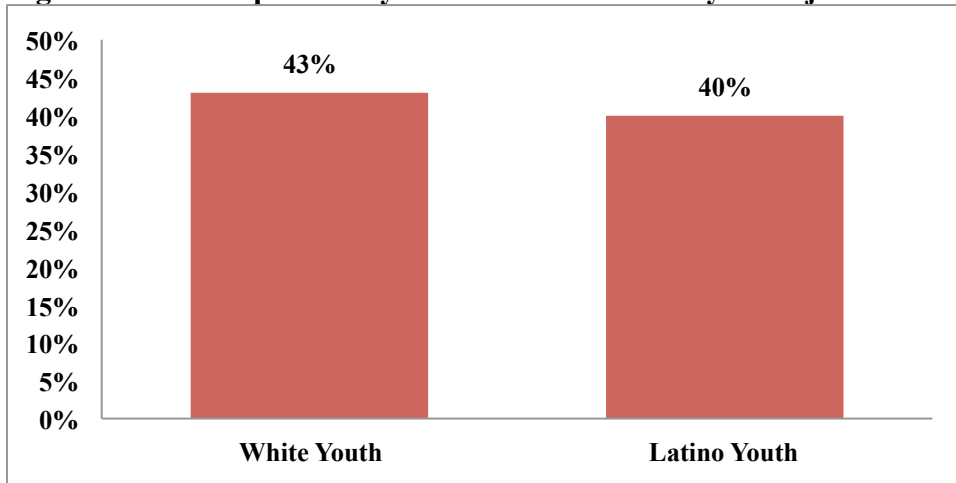
*Measures:* Boy, 16 years old, 1 prior referral, no prior dependency referral, low-risk, obstruction of justice referral, and mean community disadvantage.

**Figure 22. Maricopa County - Predicted Probability of a Petition Filed**



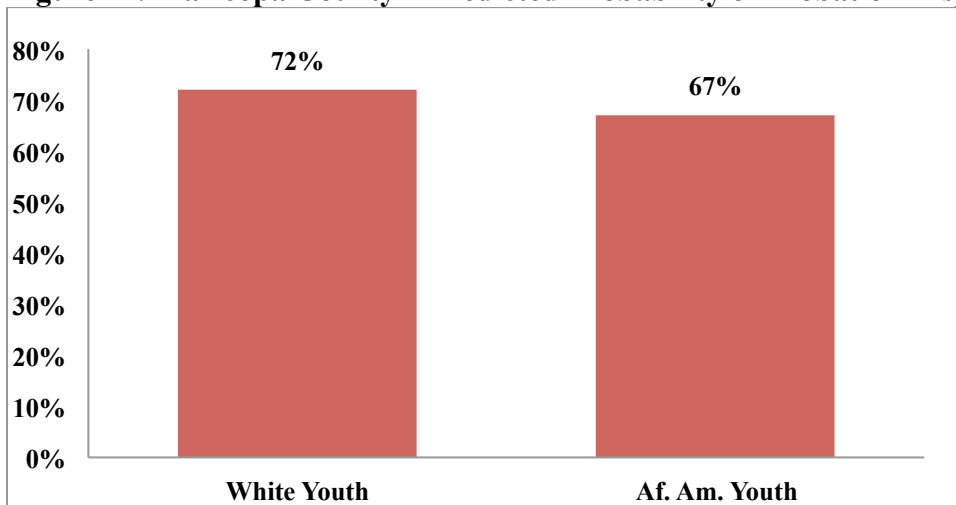
*Measures:* Boy, 16 years old, 1 prior referral, no prior dependency referral, low-risk, felony property referral, and mean community disadvantage.

**Figure 23. Maricopa County – Predicted Probability of Adjudication**



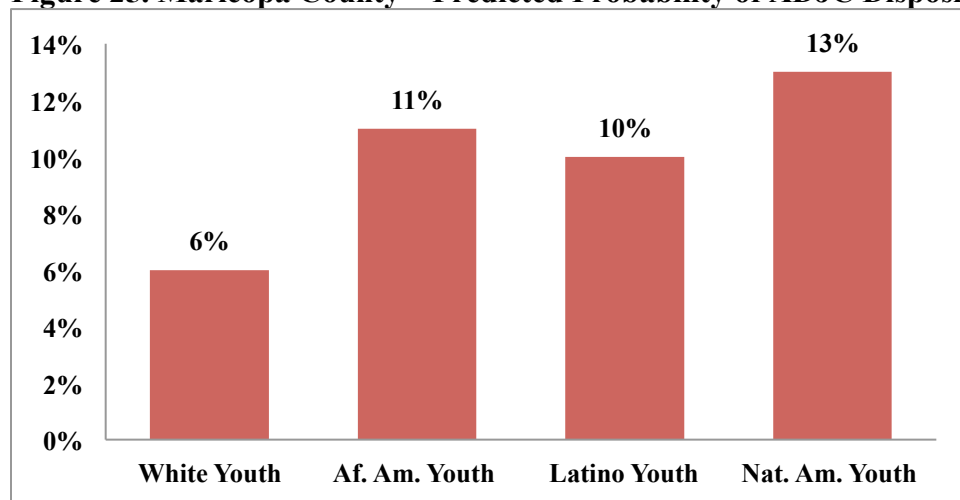
*Measures:* Boy, 16 years old, 1 prior referral, no prior dependency referral, low-risk, Felony property referral, and mean community disadvantage.

**Figure 24. Maricopa County – Predicted Probability of Probation Disposition**



*Measures:* Boy, 16 years old, 1 prior referral, no prior dependency referral, low-risk, misdemeanor person referral, and mean community disadvantage.

**Figure 25. Maricopa County – Predicted Probability of ADJC Disposition**

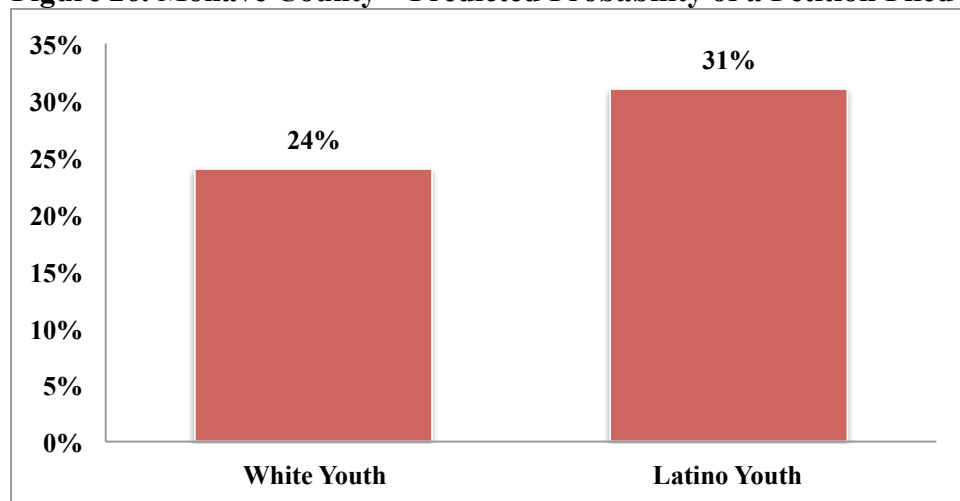


*Measures:* Boy, 16 years old, 2 prior referrals, no prior dependency referral, high-risk, obstruction of justice referral, and mean community disadvantage.

#### *Mohave County*

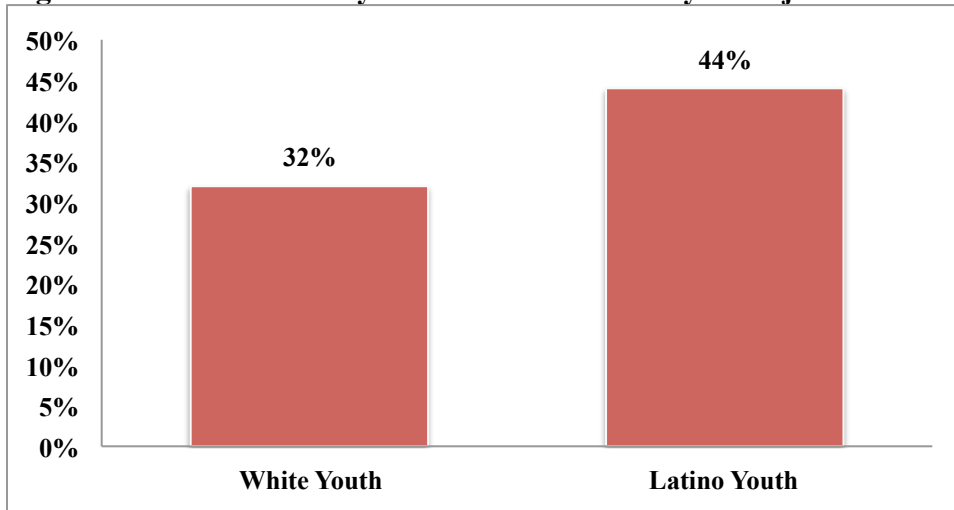
In Mohave County, racial and ethnic disparities were found in the following court outcomes: petition, adjudication, disposition of probation, and disposition of ADJC. In 2010, the probability of having a petition filed was higher for Latino youth than White youth. In 2010, the probability of being adjudicated was higher for Latino than White youth. In 2009, the probability of having a probation disposition was higher for White youth than Latino youth. In 2010, the probability of ADJC disposition was higher for Latino youth than White youth.

**Figure 26. Mohave County – Predicted Probability of a Petition Filed**



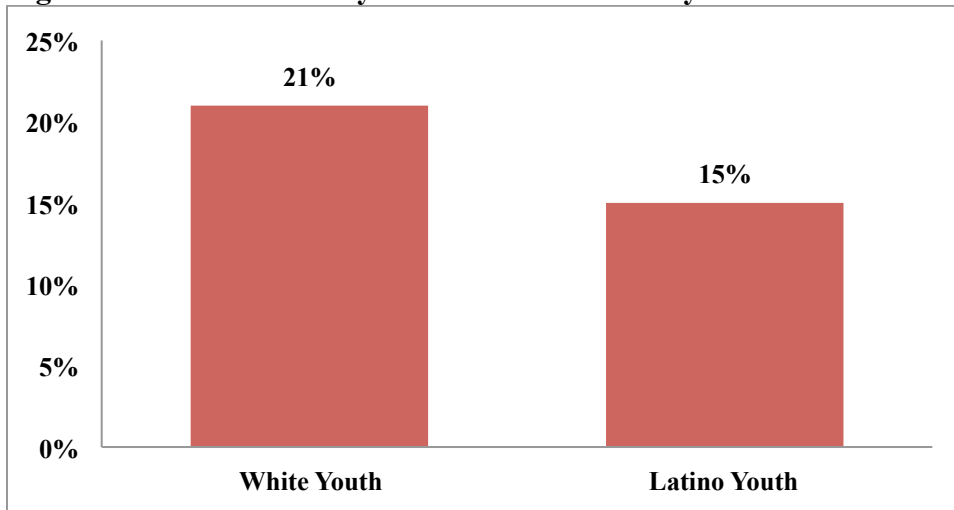
*Measures:* Boy, 16 years old, 2 prior referrals, 1 prior dependency referral, high-risk, obstruction of justice referral, and mean community disadvantage.

**Figure 27. Mohave County – Predicted Probability of Adjudication**



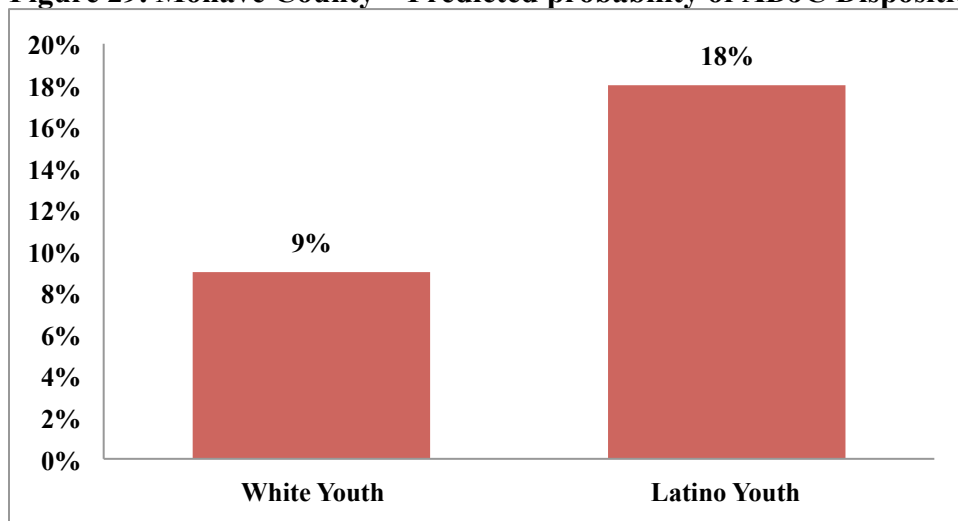
*Measures:* Boy, 16 years old, 2 prior referrals, 1 prior dependency referral, high-risk, obstruction of justice referral, and mean community disadvantage.

**Figure 28. Mohave County – Predicted Probability of a Probation Disposition**



*Measures:* Boy, 16 years old, 2 prior referrals, 1 prior dependency referral, high-risk, drug referral, and mean community disadvantage.

**Figure 29. Mohave County – Predicted probability of ADJC Disposition**

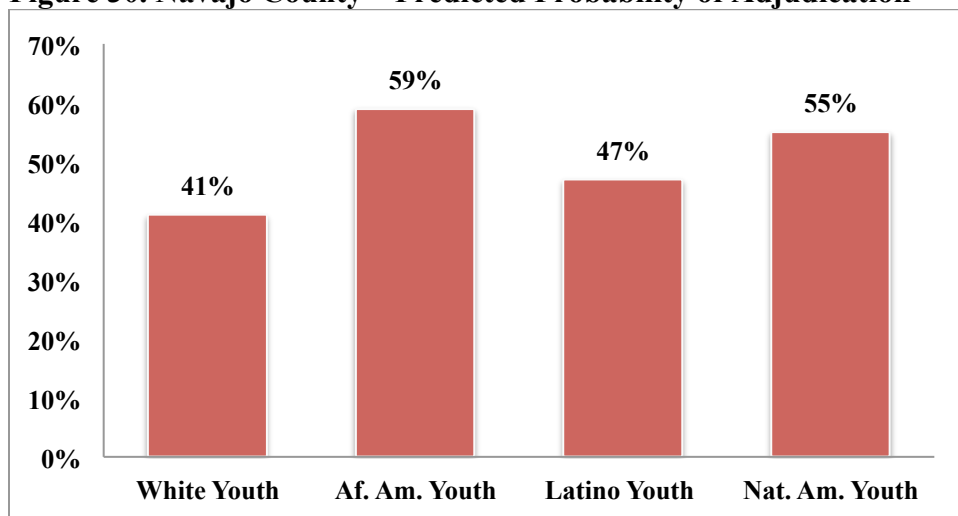


*Measures:* Boy, 16 years old, 2 prior referrals, 1 prior dependency referral, high-risk, obstruction of justice referral, and mean community disadvantage.

### *Navajo County*

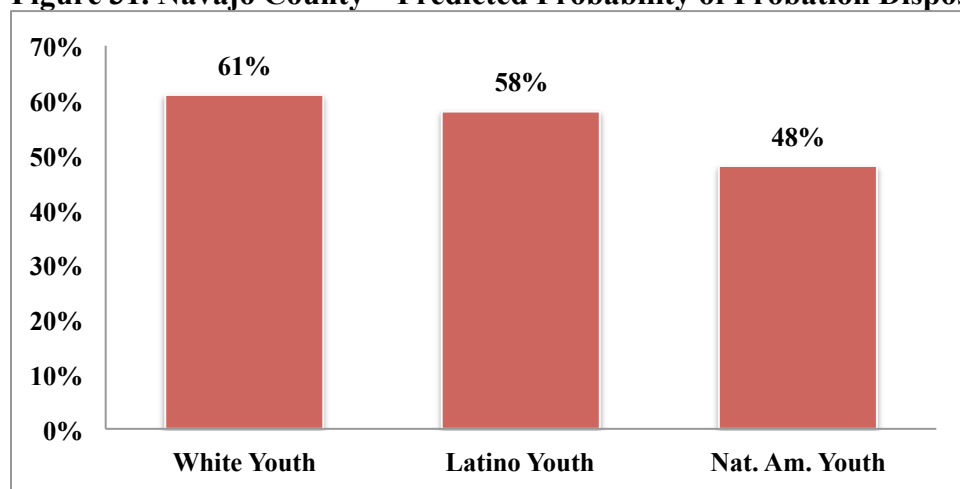
In Navajo County, racial and ethnic disparities were found in the following court outcomes: adjudication and disposition of probation. In 2009, the probability of being adjudicated was higher for African American youth than other racial/ethnic groups. In 2010, the probability of having a probation disposition was higher for White youth than Latino and Native American youth.

**Figure 30. Navajo County – Predicted Probability of Adjudication**



*Measures:* Boy, 16 years old, 1 prior referral, 1 prior dependency referral, low-risk, drug referral, and mean community disadvantage.

**Figure 31. Navajo County – Predicted Probability of Probation Disposition**

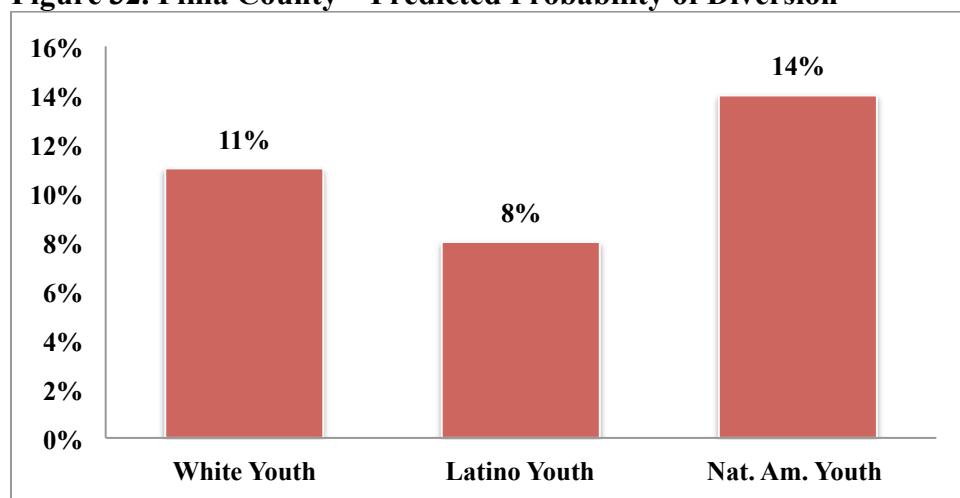


*Measures:* Boy, 16 years old, 1 prior referral, 1 prior dependency referral, low-risk, drug referral, and mean community disadvantage.

#### *Pima County*

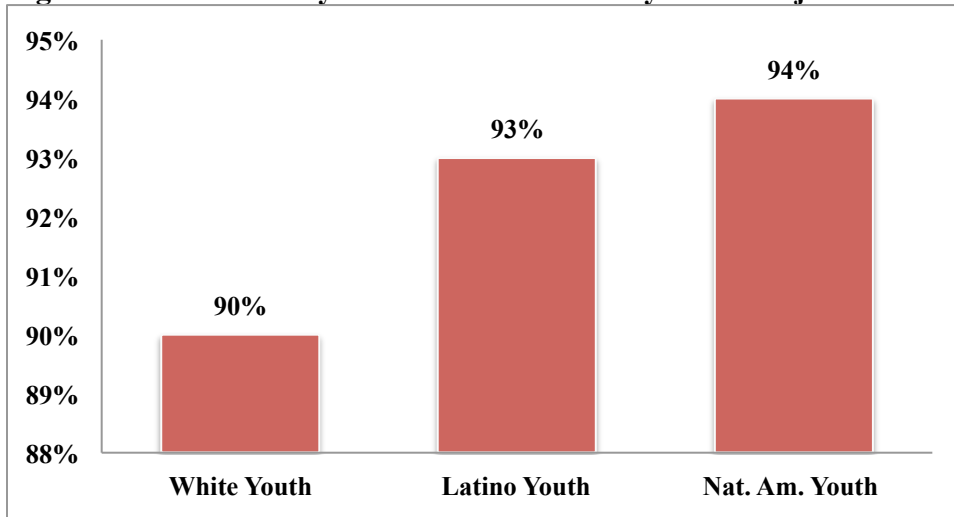
In Pima County, racial and ethnic disparities were found in the following court outcomes: diversion, pre-adjudication detention, petition, adjudication, disposition of probation, and disposition of ADJC. In 2008, the probability of diversion was highest for Native American youth. In 2007, pre-adjudication detention was slightly higher for Native American youth than Latino and White youth. In 2010, the probability of having a petition filed was higher for Native American youth than other racial/ethnic groups. In 2010, the probability of being adjudicated was higher for Native American youth than White youth. In 2008, the probability of having a probation disposition was higher for Latino youth than White and Native American youth. In 2009, the probability of an ADJC disposition was highest for African American youth.

**Figure 32. Pima County – Predicted Probability of Diversion**



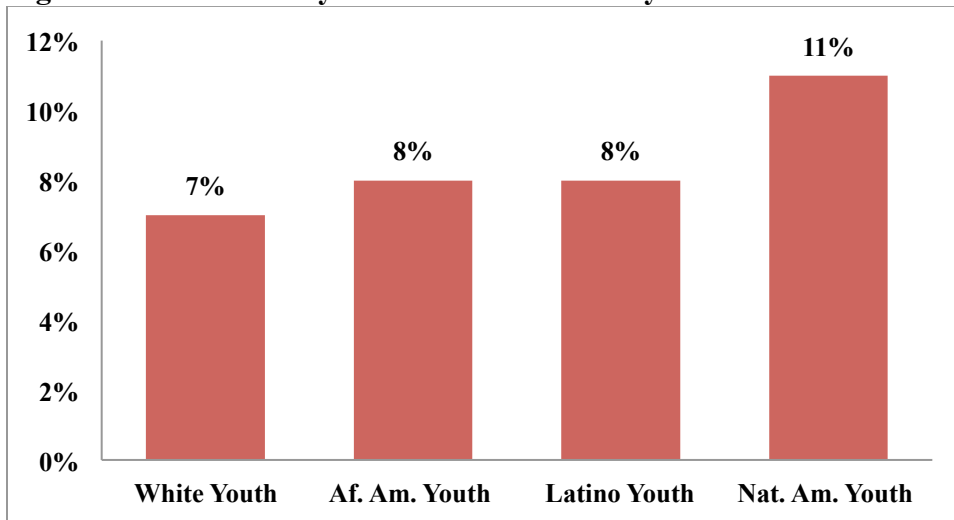
*Measures:* Boy, 14 years old, no prior referrals, no prior dependency referrals, low-risk, public peace referral, and mean community disadvantage.

**Figure 33. Pima County – Predicted Probability of Pre-adjudication Detention**



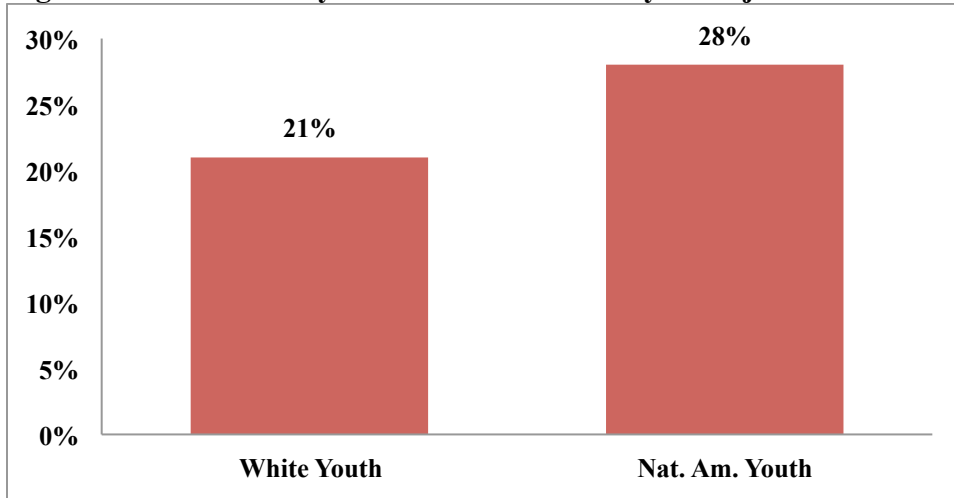
*Measures:* Boy, 16 years old, 1 prior referral, 1 prior dependency referral, low-risk, public peace referral, and mean community disadvantage.

**Figure 34. Pima County – Predicted Probability of a Petition Filed**



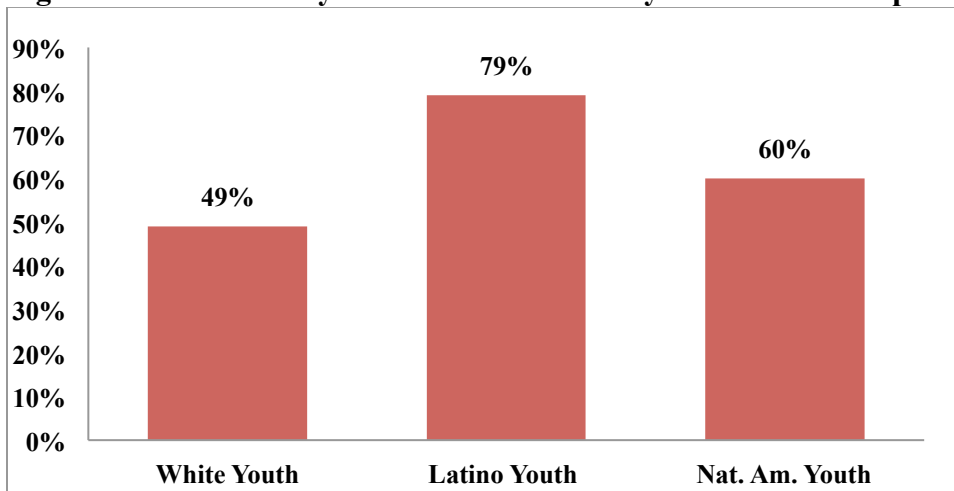
*Measures:* Boy, 16 years old, 1 prior referral, 1 prior dependency referral, low-risk, obstruction of justice referral, and mean community disadvantage.

**Figure 35. Pima County – Predicted Probability of Adjudication**



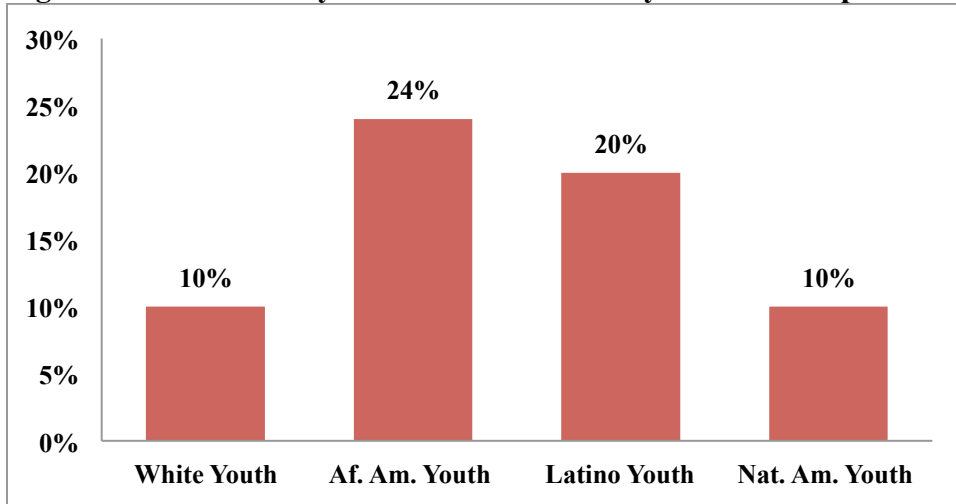
*Measures:* Boy, 16 years old, 1 prior referral, 1 prior dependency referral, low-risk, obstruction of justice referral, and mean community disadvantage.

**Figure 36. Pima County – Predicted Probability of Probation Disposition**



*Measures:* Boy, 16 years old, 1 prior referral, 1 prior dependency referral, low-risk, obstruction of justice referral, and mean community disadvantage.

**Figure 37. Pima County – Predicted Probability of ADJC Disposition**

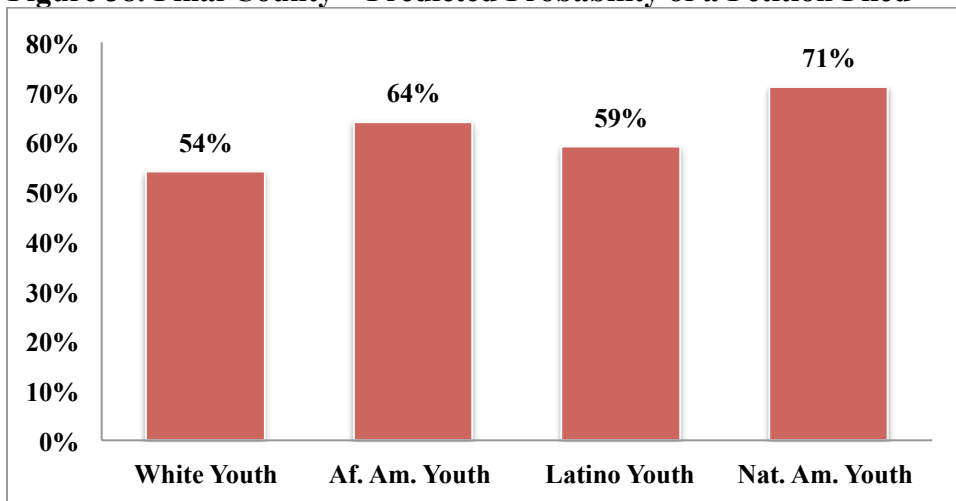


*Measures:* Boy, 16 years old, 2 prior referrals, 1 prior dependency referral, high-risk, obstruction of justice referral, and mean community disadvantage.

### *Pinal County*

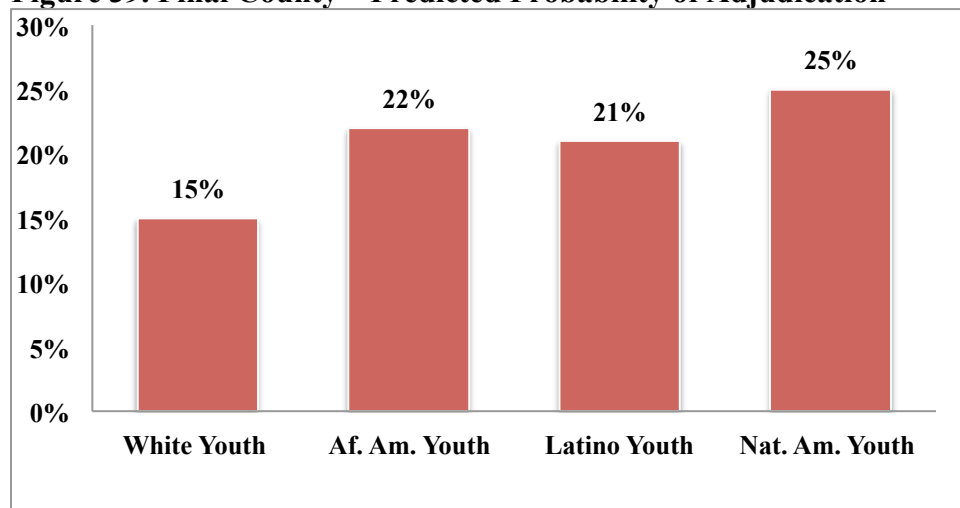
In Pinal County, racial and ethnic disparities were found in the following court outcomes: petition and adjudication. In 2007, the probability of having a petition filed was higher for Native American youth than other racial/ethnic groups. In 2008, the probability of being adjudicated was higher for Native American youth than other racial/ethnic groups.

**Figure 38. Pinal County – Predicted Probability of a Petition Filed**



*Measures:* Boy, 16 years old, 1 prior referral, 1 prior dependency referral, low-risk, obstruction of justice referral, and mean community disadvantage.

**Figure 39. Pinal County – Predicted Probability of Adjudication**

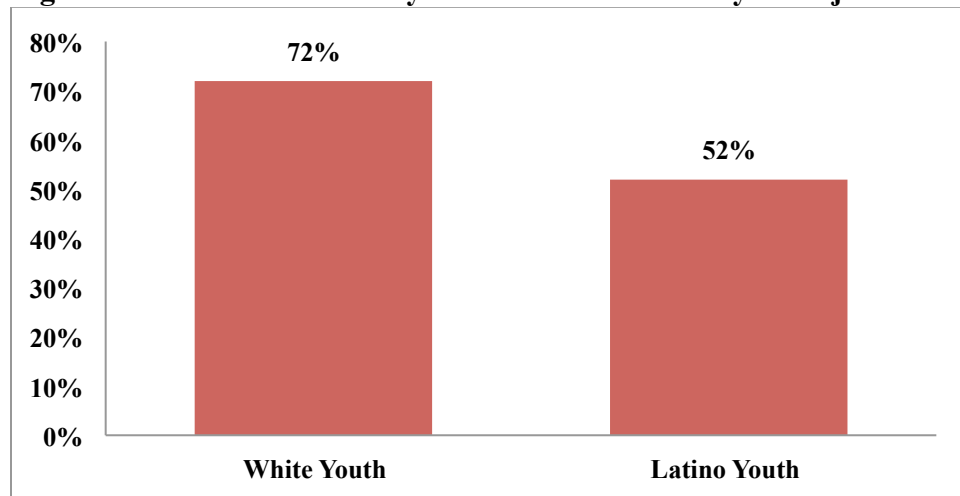


*Measures:* Boy, 16 years old, 1 prior referral, 1 prior dependency referral, low-risk, obstruction of justice referral, and mean community disadvantage.

#### *Santa Cruz County*

In Santa Cruz County, racial and ethnic disparities were found in the adjudication outcome. In 2009, the probability of being adjudicated was higher for White youth than Latino youth.

**Figure 40. Santa Cruz County – Predicted Probability of Adjudication**

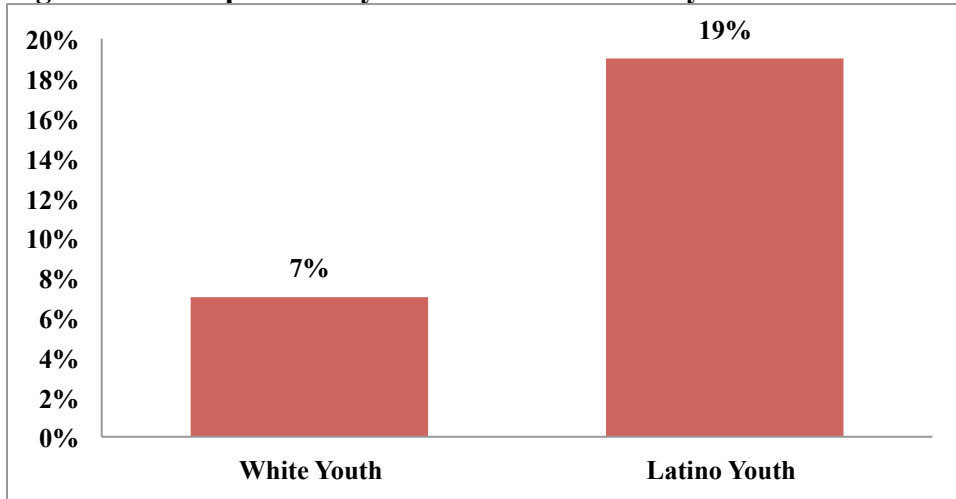


*Measures:* Boy, 16 years old, 1 prior referral, 1 prior dependency referral, low-risk, public peace referral, and mean community disadvantage.

#### *Yavapai County*

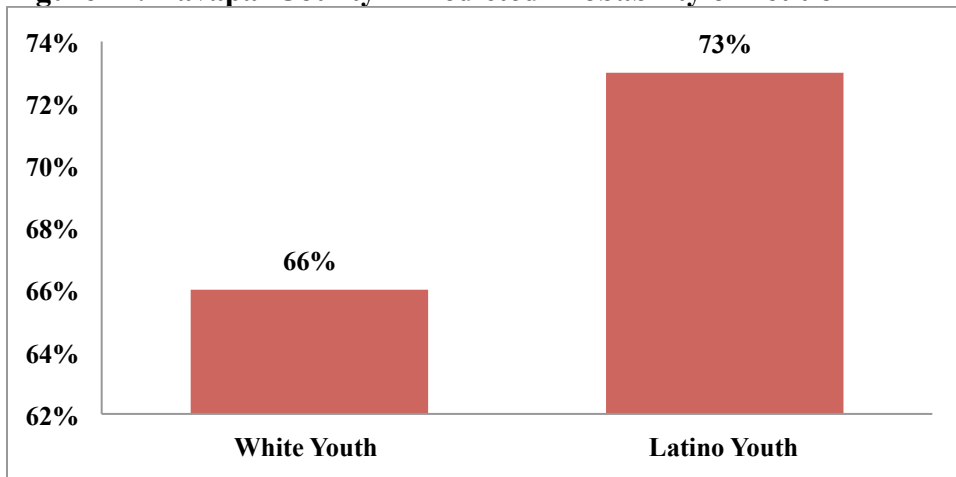
In Yavapai County, racial and ethnic disparities were found in the following court outcomes: diversion and petition. In 2008, the predicted probability of diversion and of a petition filed were higher for Latino youth than White youth.

**Figure 41. Yavapai County – Predicted Probability of Diversion**



*Measures:* Boy, 16 years old, 1 prior referral, 1 prior dependency referral, low-risk, public peace referral, and mean community disadvantage.

**Figure 42. Yavapai County – Predicted Probability of Petition**

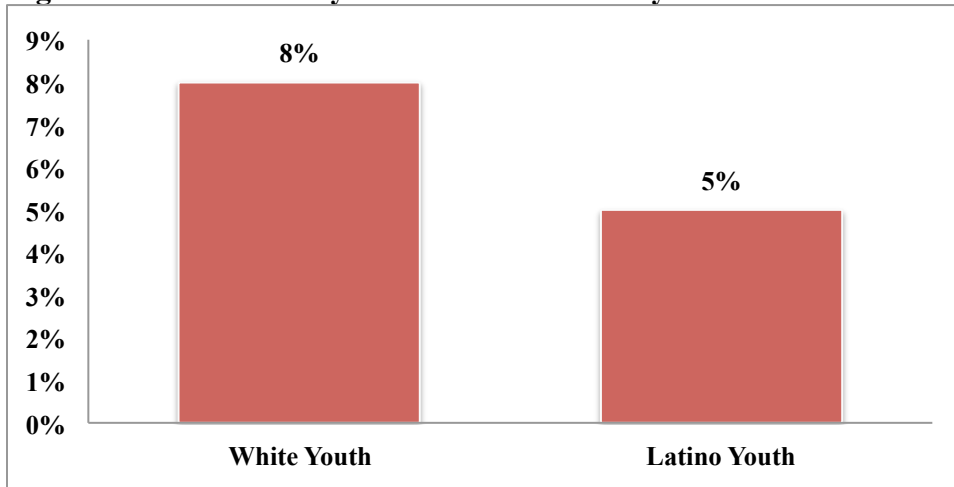


*Measures:* Boy, 16 years old, 1 prior referral, 1 prior dependency referral, low-risk, obstruction of justice referral, and mean community disadvantage.

### *Yuma County*

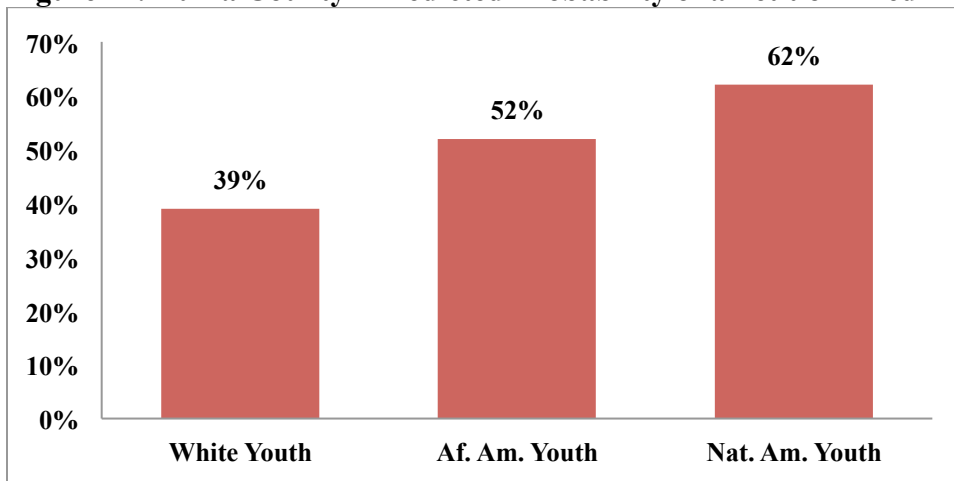
In Yuma County, racial and ethnic disparities were found in the following court outcomes: diversion, petition, adjudication, and disposition of probation. In 2008, the probability of diversion was highest for White youth. In 2007, the probability of having a petition filed was higher for African American and Native American youth than White youth. In 2006, the probability of being adjudicated was higher for Native American youth than Latino and White youth. In 2010, the probability of having a probation disposition was higher for White youth than Latino youth and African American youth.

**Figure 43. Yuma County - Predicted Probability of Diversion**



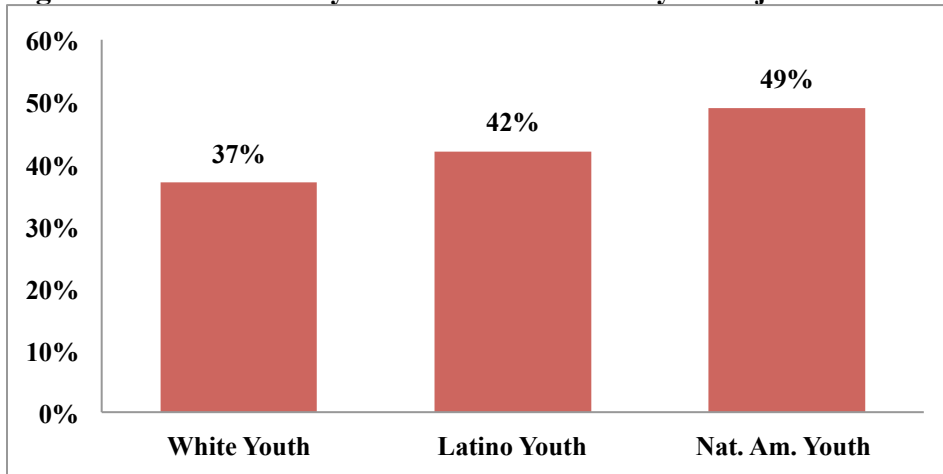
*Measures:* Boy, 16 years old, 1 prior referral, 1 prior dependency referral, low-risk, public peace referral, and mean community disadvantage.

**Figure 44. Yuma County - Predicted Probability of a Petition Filed**



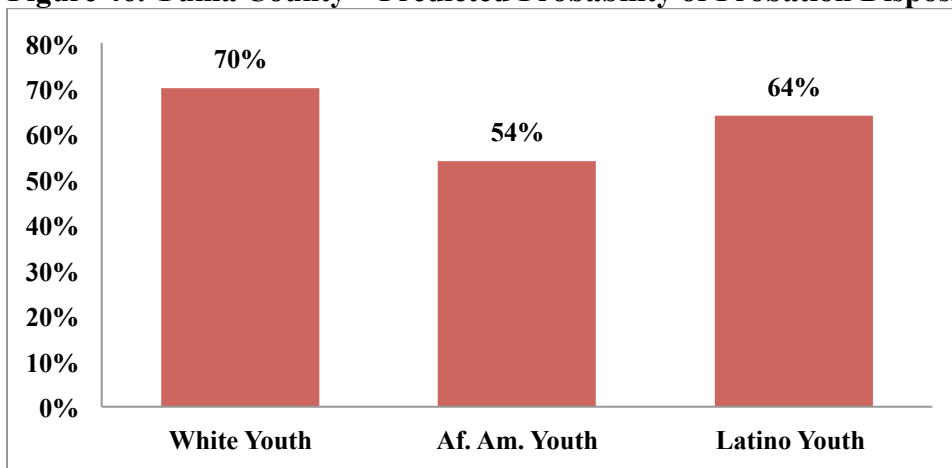
*Measures:* Boy, 16 years old, 1 prior referral, 1 prior dependency referral, low-risk, obstruction of justice referral, and mean community disadvantage.

**Figure 45. Yuma County – Predicted Probability of Adjudication**



*Measures:* Boy, 16 years old, 1 prior referral, 1 prior dependency referral, low-risk, obstruction of justice referral, and mean community disadvantage.

**Figure 46. Yuma County – Predicted Probability of Probation Disposition**



*Measures:* Boy, 16 years old, 1 prior referral, 1 prior dependency referral, low-risk, obstruction of justice referral, and mean community disadvantage.

## Phase 2: Case file Review

As noted in the methodology, we present only those attributes that are contributing factors in those outcomes where racial/ethnic disparities were found. Importantly, the purpose of this phase is not to account analytically for all of the complexities reported in youth delinquency cases. As such, we present the racial/ethnic breakdown of the significant attributes.

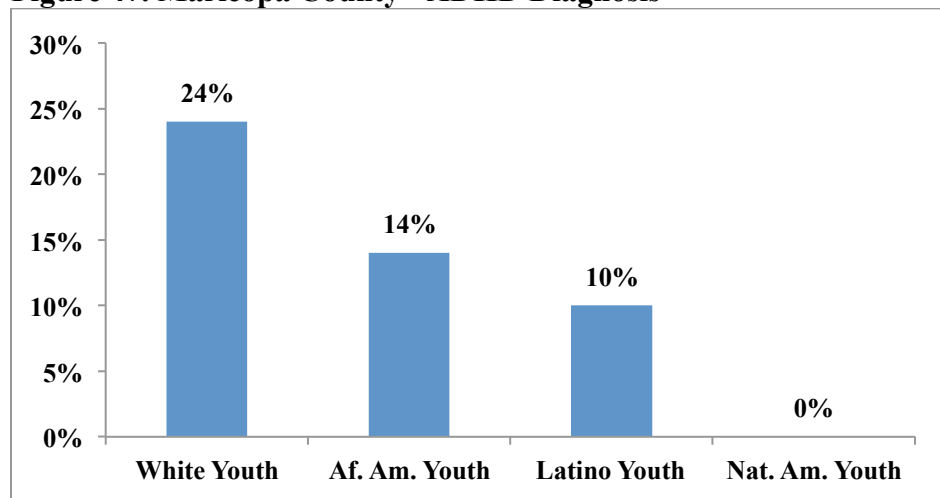
### *Maricopa County Analysis*

Among the Maricopa County case files sampled, there were 62 White youth, 30 African American youth, 96 Latino youth, and 12 Native American. The sex breakdown is 139 boys and 61 girls.

In Maricopa County, we found eight factors that contribute to disproportionality in court outcomes. These are an ADHD diagnosis, a PTSD diagnosis, alcohol use, opiate use, polysubstance use, gang involvement, parent-child relational problems, and economic resources/family insurance.<sup>3</sup> Importantly, internal and external attributes vary across racial/ethnic groups in ways that lead to more severe court outcomes for minority youth whose case files illustrate compounded adversities (e.g., PTSD, drug use, economic strain). The graphs below illustrate these breakdowns.

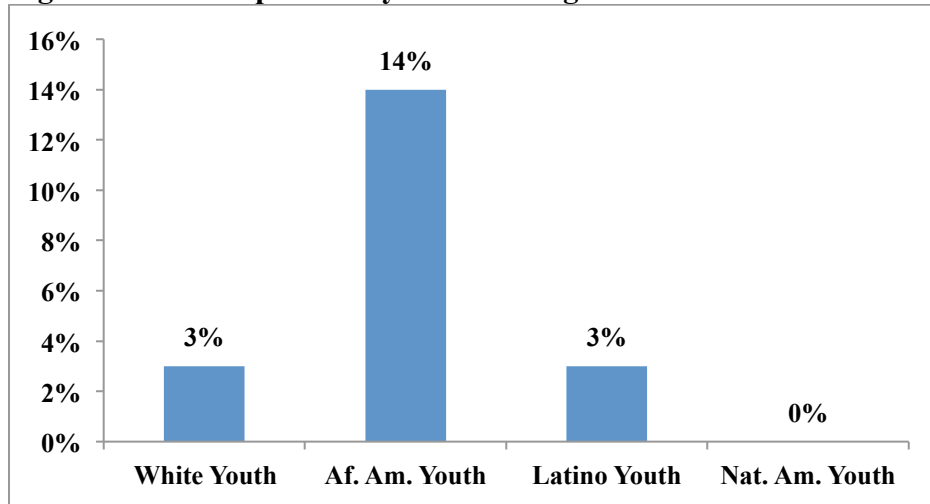
The psychological needs of youth vary by race/ethnicity, with White youth having higher reported rates of ADHD than other youth, and African American youth having higher rates of PTSD than other youth. Drug and alcohol use was highest among Native American youth, followed by White youth. Gang involvement was significantly higher for all minority youth than White youth. Parent-child relational problems were more common among White youth than minority youth. With regard to familial economic resources, African American and Latino youth experience higher rate of economic strain, and Native American and Latino youth are least likely to come from families with private insurance.

**Figure 47. Maricopa County - ADHD Diagnosis**

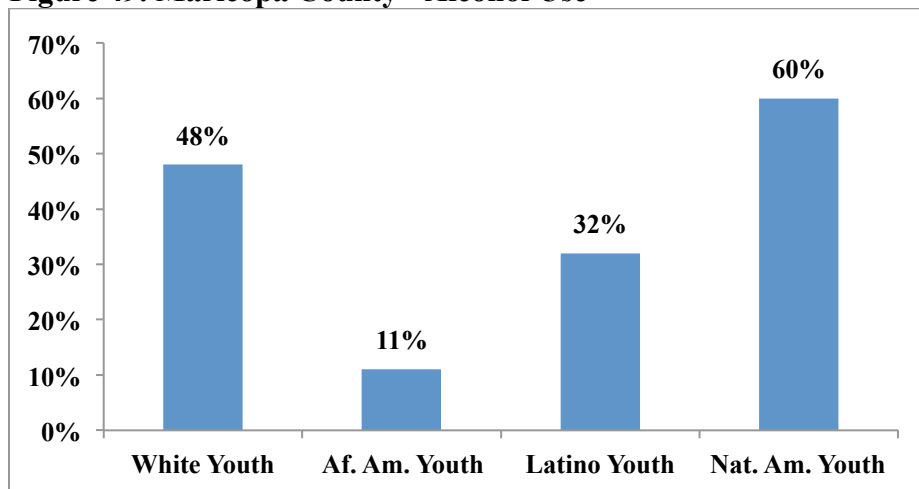


<sup>3</sup> As reported in the methodology, psychoses identified come directly from the psychological evaluation.

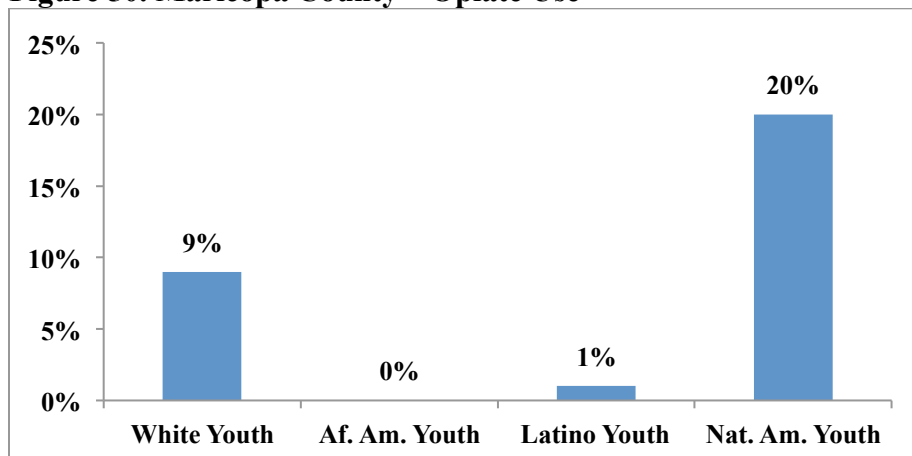
**Figure 48. Maricopa County - PTSD Diagnosis**



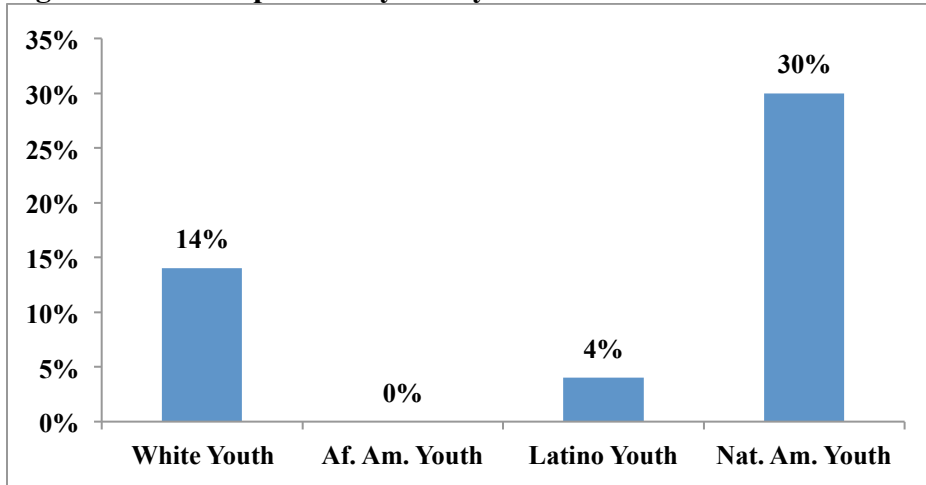
**Figure 49. Maricopa County - Alcohol Use**



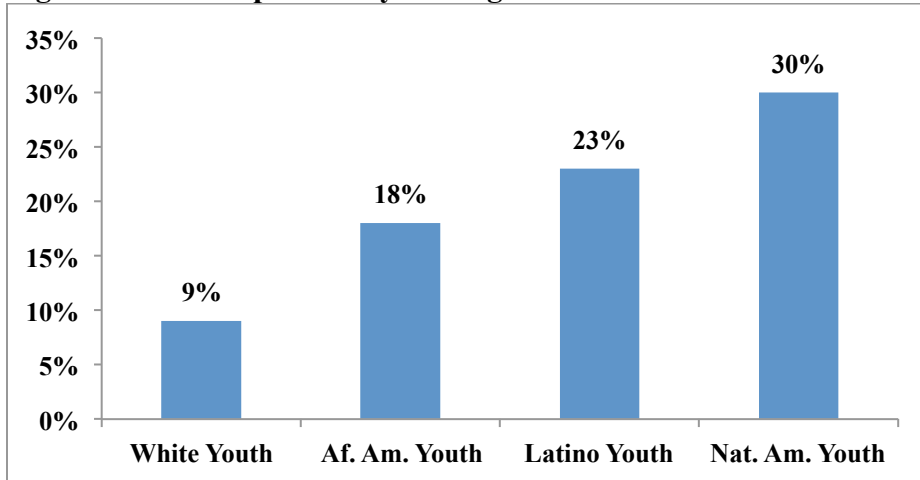
**Figure 50. Maricopa County – Opiate Use**



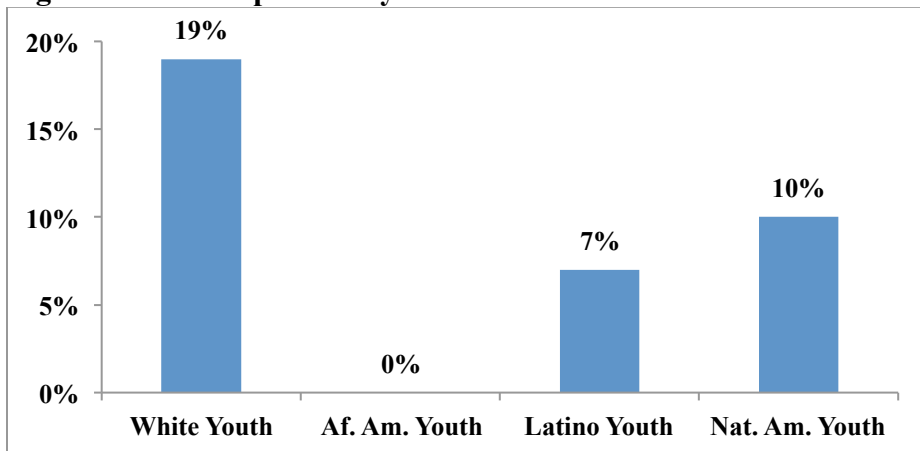
**Figure 51. Maricopa County – Polysubstance Use**



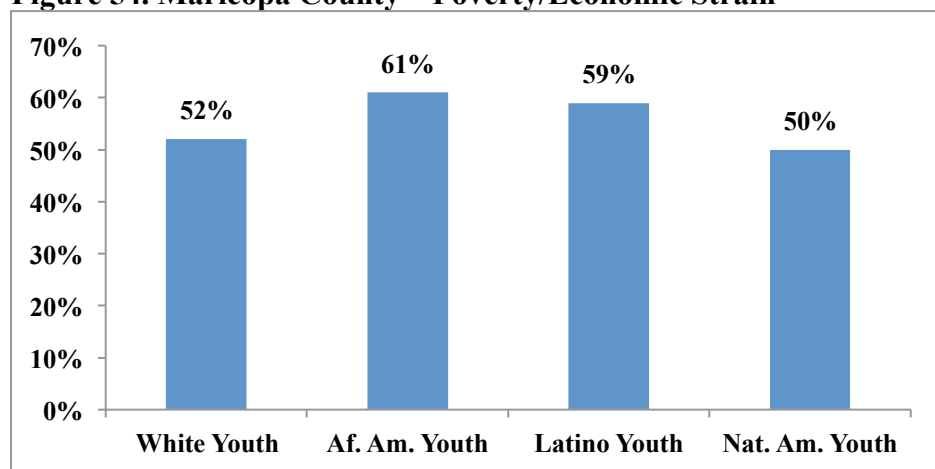
**Figure 52. Maricopa County – Gang Involvement**



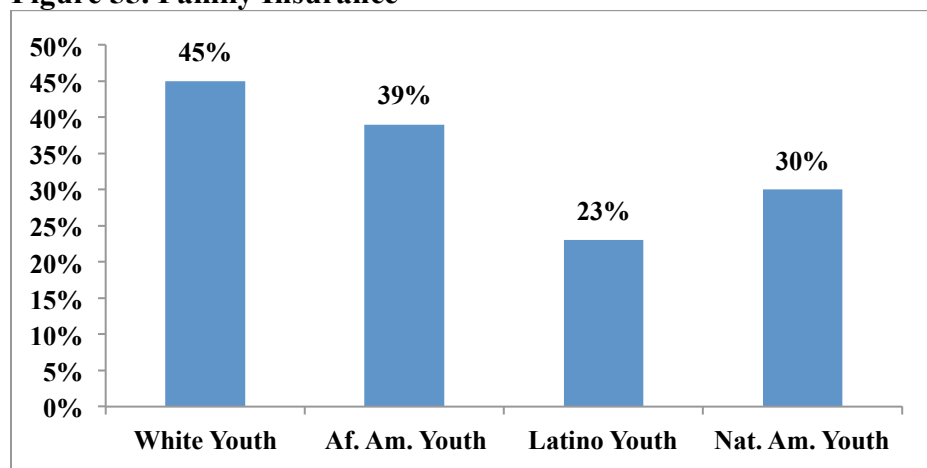
**Figure 53. Maricopa County – Parent-child Relational Problems**



**Figure 54. Maricopa County – Poverty/Economic Strain**



**Figure 55. Family Insurance**



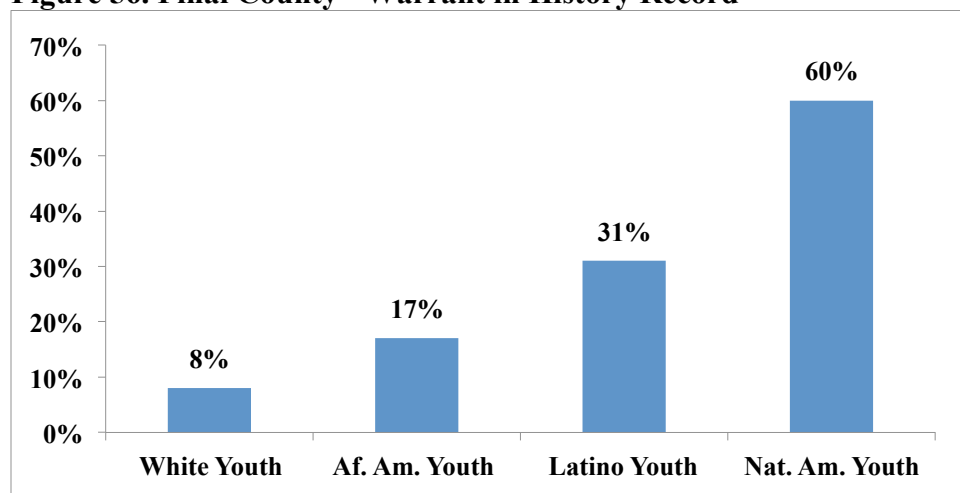
### *Pinal County Analysis*

Among the Pinal County case files reviewed, there were 26 White youth, 6 African American youth, 29 Latino youth, and 5 Native American youth. The sex breakdown is 46 boys and 26 girls.

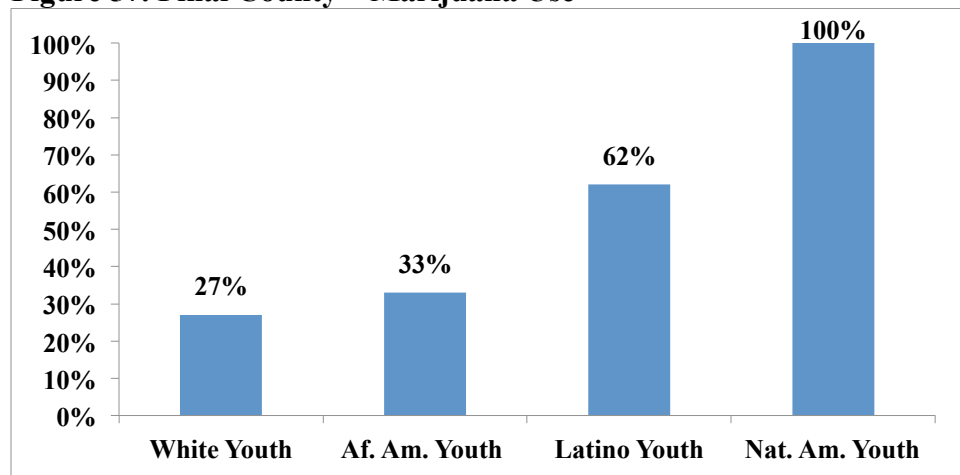
In Pinal County, we found six factors that contribute to the overrepresentation of minority youth. These are youth with warrants in their histories, marijuana use, delinquent peers, school suspension or expulsion, change in family structure, and CPS involvement. Internal and external attributes vary across racial/ethnic groups in ways that lead to more severe court outcomes for minority youth whose case files illustrate compounded adversities (e.g., family instability, school suspension/expulsions, delinquent peers, drug use). The intersection of multiple institutions in youths' lives is also notable, especially as seen in CPS involvement with African American youth and school suspensions or expulsions for Native American (especially), African American and Latino youth. Graphs below display these breakdowns.

Minority youth had higher rates of warrants issued than White youth. Minority youth also have higher rates of marijuana use than White youth. Latino and Native American youth have higher rates of delinquent peers than White youth, with African American youth having the lowest rate of delinquent peers. Minority youth have higher rates of school suspension or expulsion than White youth. Native American youth have significantly higher rates of changes in family structure than White and other racial/ethnic minority groups. African American and Latino youth have the highest rates of CPS involvement.

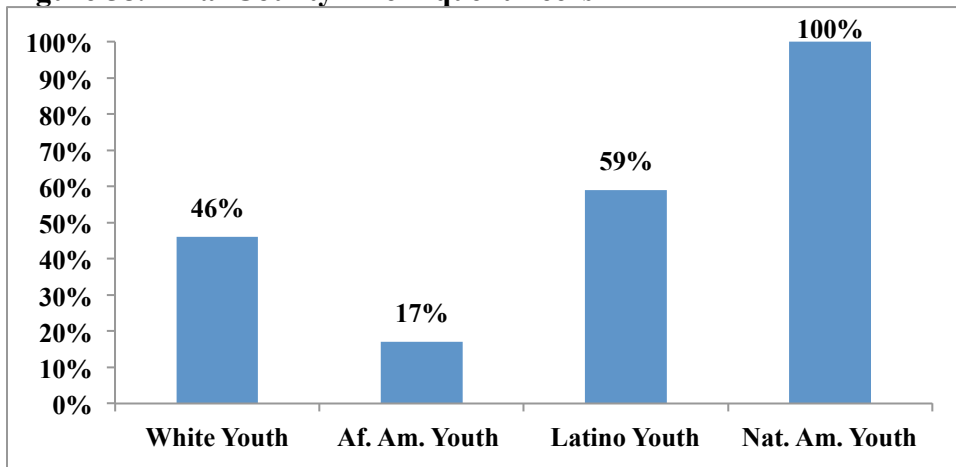
**Figure 56. Pinal County - Warrant in History Record**



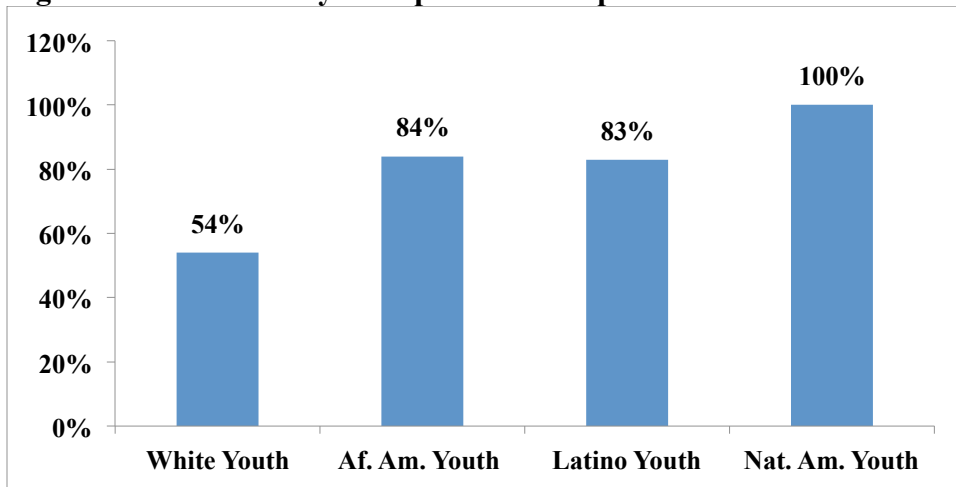
**Figure 57. Pinal County – Marijuana Use**



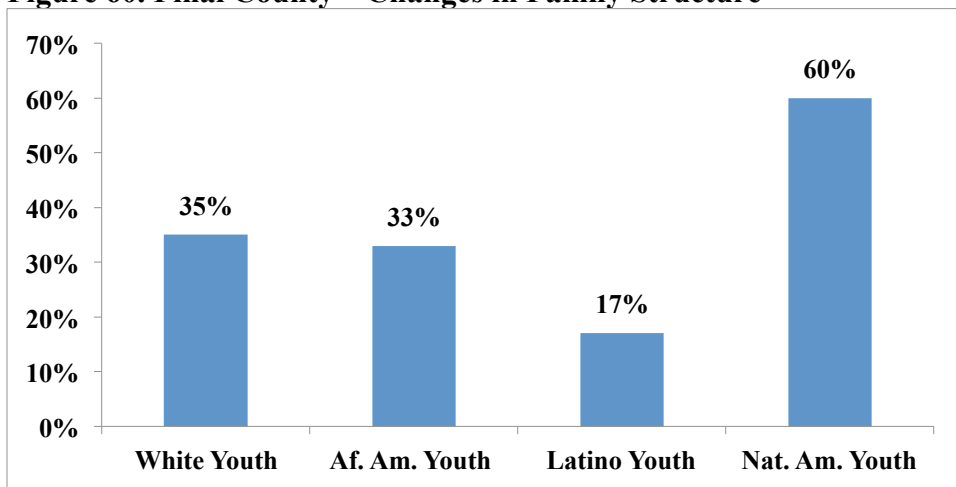
**Figure 58. Pinal County - Delinquent Peers**



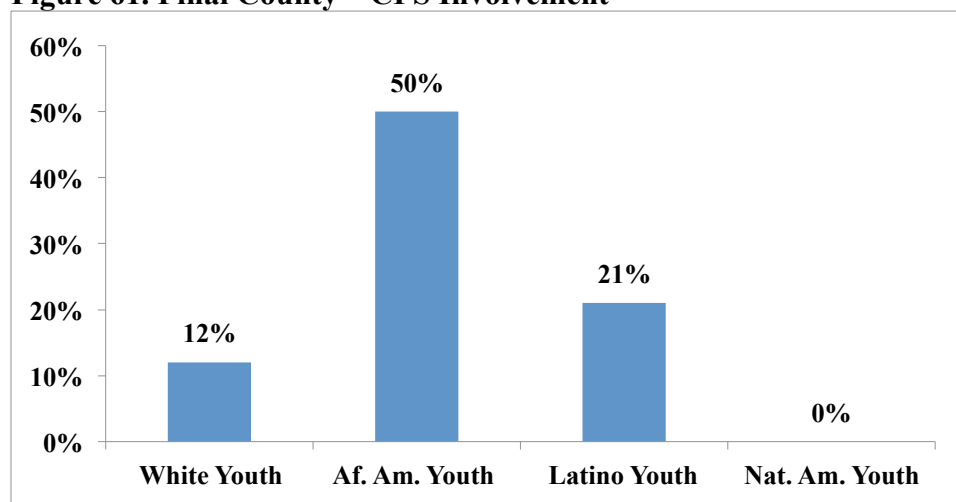
**Figure 59. Pinal County – Suspended or Expelled from School**



**Figure 60. Pinal County – Changes in Family Structure**



**Figure 61. Pinal County – CPS Involvement**



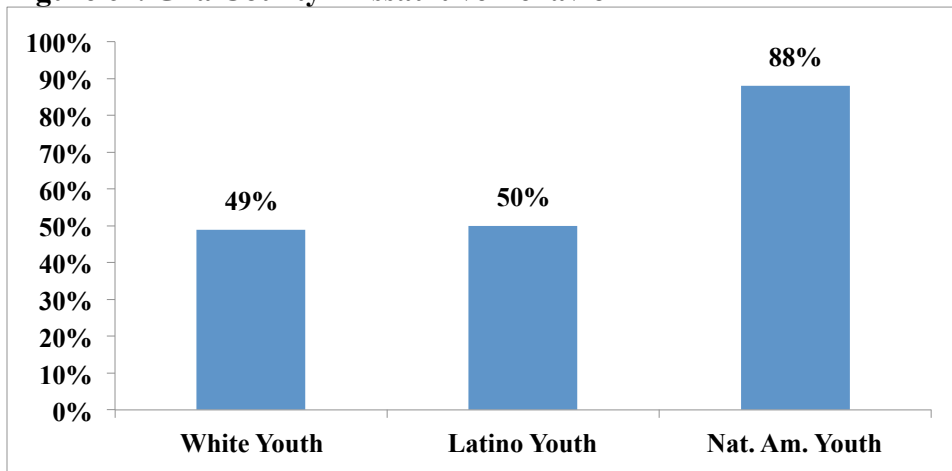
#### *Gila County Analysis*

Among the Gila County case files reviewed, there were 45 White youth, 12 Latino youth, and 8 Native American youth. The sex breakdown was 43 boys and 22 girls.

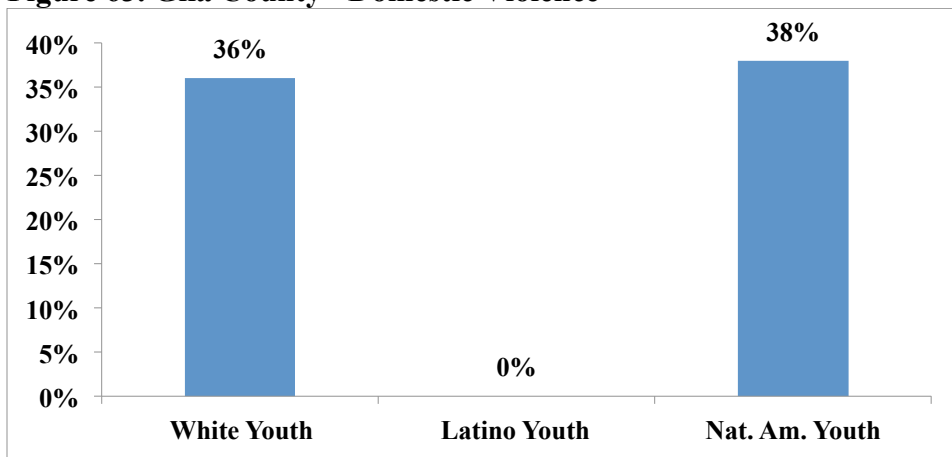
In Gila County, we found five factors that contribute to the overrepresentation of minority youth. These are youth who have exhibited assaultive behavior, domestic violence in home, co-offenders, gang involvement, and delinquent siblings. Internal and external attributes vary across racial/ethnic groups in ways that lead to more severe court outcomes for minority youth whose case files illustrate compounded adversities (e.g., domestic violence in home, gang involvement). Graphs below display these breakdowns.

Latino and Native American youth have higher rates of assaultive behavior than White youth. There are relatively similar rates of domestic violence in the homes of White and Native American youth. White youth have higher rates of co-offenders than Latino and Native American youth. Gang involvement was highest among Native American youth. Latino and Native American youth had significantly higher rates of siblings with delinquency histories than White youth.

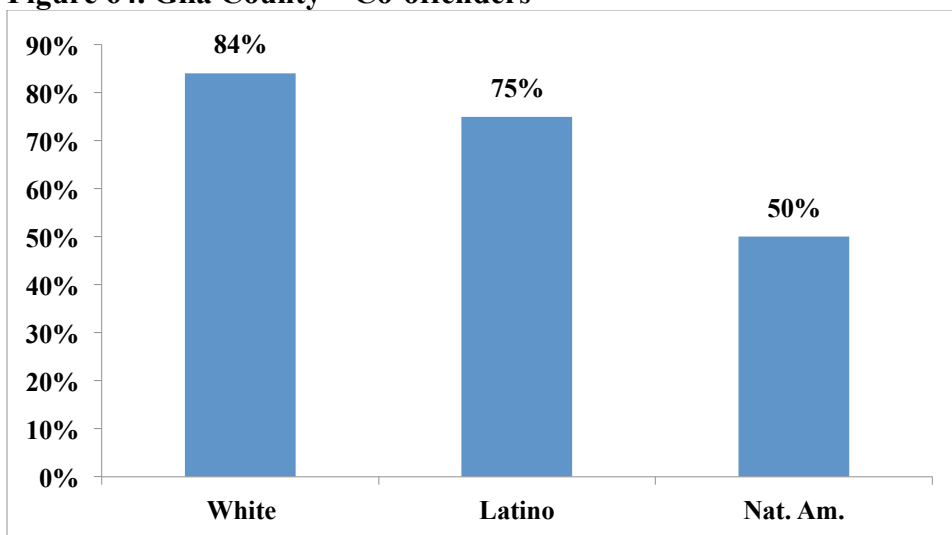
**Figure 62. Gila County - Assaultive Behavior**



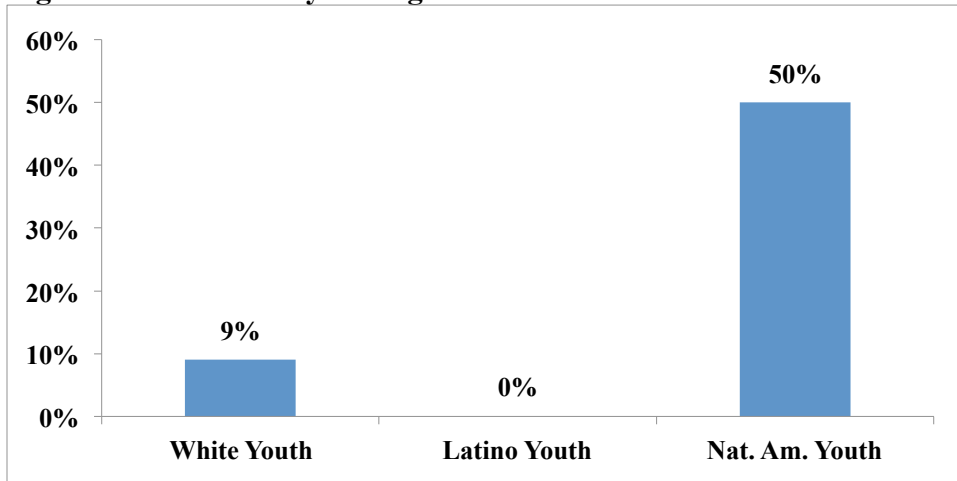
**Figure 63. Gila County - Domestic Violence**



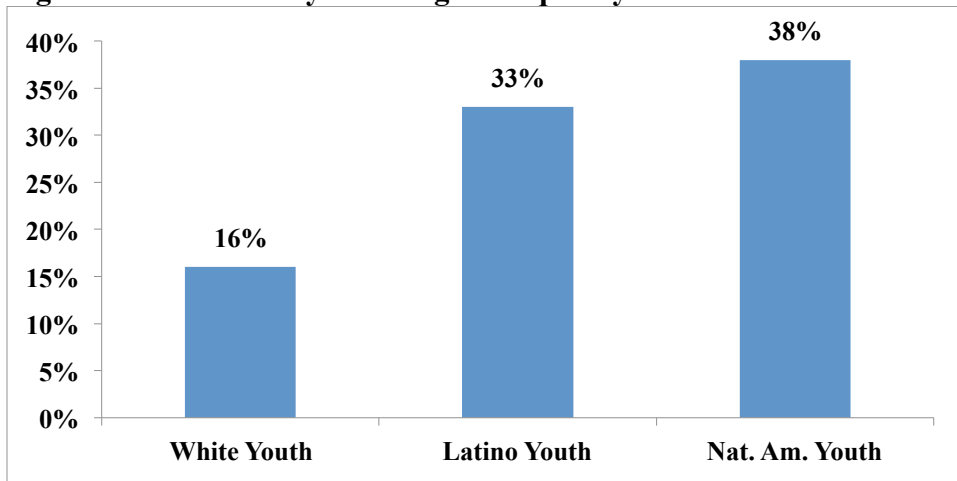
**Figure 64. Gila County – Co-offenders**



**Figure 65. Gila County - Gang Involvement**



**Figure 66. Gila County – Sibling Delinquency**



### Phase 3: Interviews

Given the various differences across jurisdictions, we present the dominant themes as reported by probation and court officials we interviewed by county.

#### *Maricopa County Analysis*

##### 1. What factors do you think might explain racial/ethnic differences in juvenile court outcomes in Maricopa County (outcomes may refer to any stage in the process)?

In order to identify what factors were noted by officials, we examined interview information gathered from probation and court officials in Maricopa County. Importantly, all staff mentioned one or more of the following factors that, according to them, may explain DMC: 1) family social economic status; 2) lack of family support and monitoring of youth; 3) the types of communities where youth reside; and 4) offense seriousness.

Officials discussed at length the critical role that economic capacity plays in providing effective supervision for youth and affording them quality services and treatment. They discussed how, often times, minority youth have parents who work long and odd hours and may be unavailable to meet with justice officials to discuss youths' delinquency referral and progress. Given time constraints, parents are also unable to monitor youth at home. Limited resources by family and/or lack of health insurance may also restrict the options for such youth. Officials often noted the varied responses by families upon entering the juvenile justice system. It is not uncharacteristic for parents of affluent, most often White youth, to take out a second mortgage to afford private care and treatment services for their son/daughter. On the other end of the continuum, impoverished families often lack the means to drive to court or detention in light of a delinquency referral, much less afford private health care for youth. Severe economic deprivation also makes it difficult to reach parents given lack of a consistent telephone where they can be reached. Officials also discussed how minority families, given limited access to resources and treatment, did not know how to navigate the behavioral health system, which compounded their lack of engagement and awareness of youth progress. There were several officials who discussed the challenge they face in working with parents who often report that "they are not on probation" and that it is not their responsibility to work with the juvenile court.

A notable number of officials (56%) indicated that youth are far more likely to be arrested or referred if they live in certain communities. They stated that certain communities experience high levels of police presence and hence are subject to greater formal social control. These communities are characterized by drug activity and gangs; social problems that officials noted disproportionately affected minority populations. Several officials spoke at length about the undocumented population communities and how immigration policies in the state have only led to greater reluctance by Latino families to engage with juvenile court officials. Officials identified various communities they felt were often plagued by heightened police presence, producing a significant number of youth referrals from those areas.

Some officials (24%) noted that minority youth simply offend at higher rates and commit offenses that warrant court intervention. Such officials stated that there are differences in

offending patterns of minority youth (e.g., more serious offenses and chronic records, often due to peer influence and lack of parental supervision) and White youth, and how challenging it is to effectively respond to such youth and families.

2. Are there differences you have noticed in how kids from different racial/ethnic groups become involved in the juvenile justice system?

Approximately, two-thirds of officials noted no differences in how youth from various racial/ethnic groups enter the justice system. These officials noted that the problems that get youth in trouble (e.g., poverty, lack of familial support) are the same for all youth. Specifically, these are youth with minimal parental guidance, few role models, and whose families suffer from economic strain.

The remaining one-third of officials had very strong opinions about the differences among racial/ethnic groups, in particular how parents respond in light of justice system involvement. These officials discussed how African American families, who likely have had more experience with the justice system and its various processes, were less willing to seek guidance and direction from probation officers than other racial/ethnic groups. When asked why this may be the case, they noted that they may have had negative experiences with the criminal justice system. They also noted that this may explain why African American families were less trusting of officials and unwilling to seek help from probation officers. Officials expressed frustration with this because they view juvenile court and their function as officials of the court as quite distinct from the purpose and function of the criminal justice system.

Regarding Latino families, probation officers described how parents view them as law enforcement officials and are reluctant to ask any questions about the juvenile court process. They described this phenomenon increasing over the past several years. Some officials (13%) spoke about Latino families leaving the state in light of recent immigration policies. They spoke about the impact on youth who are U.S. citizens and how these policies have changed the life trajectory of these children. Some discussed the unique role of undocumented single Latina mothers who are unable to visit their son/daughter in detention if they do not have proper identification. In these cases, youth suffer and mothers are left to wait for the process to, at some point, lead to their son/daughter's release and case resolution.

3. Are there policies or practices - at any stage in the system-- that you think have led to racial/ethnic disparities in Maricopa County?

Officials had conflicting perspectives on whether there are policies or practices that have led to racial/ethnic disparities. While the majority of officials were adamant that policies or practices were not responsible, others noted that disparities exist due to access to services via certain policies (e.g., Indian Child Welfare Act) or due to practices that place certain minority youth at higher risk for system involvement (e.g., heightened policing in certain areas or targeted enforcement from the Sheriff's Department). Importantly, a quarter of officials stated that negative stereotypes about racial/ethnic minorities have not disappeared. While they indicated they had not witnessed overt discrimination, they mentioned being concerned over the more subtle ways in which factors correlated with race/ethnicity (e.g., poverty, low levels of

education) are used by their colleagues to increase formal social control over racial/ethnic minorities.

More than half of officials (63%) were also quick to mention that while every staff member is not bilingual, there are interpreters for court hearings and there is access to a language translation line but that is still not enough to engage monolingual families. One-quarter of officials mentioned that those family members who do not speak English do not come to court or seek translation services, placing their children at-risk given the lack of engagement they have with the court system. Others mentioned the unique dynamics at play when the youth under court supervision is fluent and serves as the translator during meetings with court officials. They discussed how the youth is in some ways the person in power during these exchanges and how difficult this is for parents to assume an authoritative role during the meetings and beyond.

A third of officials interviewed expressed great frustration in assigning terms of probation that they knew youth, regardless of race/ethnicity, were not going to be able to meet (e.g., pay court fees, attend counseling when family lacks means of transportation). They felt it was only setting them up for failure and really was a waste of time and resources. Several mentioned it was part of the ill-fit model of treatment services that they must impose given the limited options for youth. This was especially the case for minority youth with substance abuse and mental health problems.

4. Are there policies or practices that you think have helped to reduce racial/ethnic disparities in Maricopa County? Are there strategies that you think might work better, that you would like to see tried out?

An overwhelming number of officials (79%) were not aware of policies or practices that could reduce racial/ethnic disparities. While some (8%) mentioned JDAI as a possible way to reduce disparities in outcomes, they noted that the department needs to recognize that not all kids have the same needs, and hence detention is a viable and appropriate option for *some* youth. They mentioned that until there are tangible alternatives for detention, detention today may be the only and best place for *some* youth.

When asked what they would like to see in place, the majority of officials (63%) mentioned far more community engagement with agencies that serve families. They expressed a desire to work with community members to hold small meetings to explain what the court is doing to address DMC and how the function and mission of the court is very different from law enforcement. This forum would be used to educate families about court process, outcomes, and services.

A final service desired by officials was the implementation of parenting programs for youths' parents who lack insight on effective parenting practices and access to pro-social family activities. Development of these skills would not only increase family engagement but also build family support.

*Pinal County Analysis*

1. What factors do you think might explain racial/ethnic differences in juvenile court outcomes in Pinal County (outcomes may refer to any stage in the process)?

Officials in Pinal County noted one or more of the following factors that from their perspective, may explain racial/ethnic disparities in court outcomes: 1) family economic status, especially among single parent families; 2) parenting practices and involvement; 3) geography and access to services; and 4) language barriers.

Nearly all officials interviewed in Pinal County noted the social economic status of families that come into contact with the juvenile justice system. Officials stated that minority families often faced greater adversities due to their dire economic situations. Parents struggle to provide basic needs for youth and living in poverty is normative for certain families. They discussed at length the struggles faced by single mothers, trying to raise their children and make ends meet. Parents, in most cases mothers, were unable to meet with court officials due to work demands. This made it very difficult for them to be aware of and engaged in the supervision and progress of youth under jurisdiction of the court. Limited resources also meant they had fewer options for services and treatment. Officials also noted that parents who lack education struggle to understand why their involvement and youths' attachment to other institutions, in particular school, is crucial in their success and development.

The majority of officials also mentioned the poor parenting practices and low levels of parental involvement. Several officials went into great detail about the styles of parenting that they see in working with youth. One official stated that the "hands off" parent is the worst but the "too controlling" parent is counterproductive as well. Another official noted that family resources do not automatically lead to effective parenting, having worked with several parents with economic means who lacked parenting skills. Having two parents who are equally invested in their son/daughter's court processing was noted as ideal but rare. For single mothers, this is particularly challenging, especially when their sons are the male head of household. Officials also discussed how parents' anti-social behaviors present challenges in working with youth because youth often model parents' behavior and such parents are adversarial in their interactions with court officials. These behaviors, they noted, were not restricted to racial/ethnic minority families but were overrepresented among such families.

All officials in Pinal County spoke at length about how the geographic location of where youth reside directly impacts their access to services. Youth from more remote and/or rural parts of the county often lack access to readily available services in the community or pro-social activities to engage in such as a YWCA or Boys and Girls Clubs. Youth from such communities also lack transportation to get needed services as prescribed by the court.

Parents of youth who do not speak English often have limited interaction and engagement with the court system. According to officials, this language barrier results in poor levels of communication between probation staff and parents and present challenges for effective supervision. Several officials mentioned that making official forms available in Spanish would go a long way to connecting these families to the justice system.

Importantly, several respondents (21%) stated there were officials who afford White youth more chances and opportunities than similarly situated minority youth. When asked why this was happening, they indicated that there is the perception that White youth will be successful if given

the opportunity. Success for minority youth is less certain, given the compounded adversities they face.

2. Are there differences you have noticed in how kids from different racial/ethnic groups become involved in the juvenile justice system?

Two-third of officials in Pinal County discussed at length the cultural differences among youth and families they serve. The majority of officials discussed the varying racial and ethnic groups in Pinal County not merely as “different” but how each culture, whether Latino, Native American, or African American, has distinct norms for child rearing, role of men and women as fathers and mothers, and justice system experiences which challenge “connecting” with such families. For some Native American youth who live on reservations there is a perception of great social distance between the tribe and non-tribal entities. The economic deprivation faced by Native Americans and physical distance also presents challenges in affording access to needed services.

Some racial/ethnic minorities have misperceptions about mental health needs and services and fear being stigmatized for receiving such services. For Latino parents who do not speak English, officials noted they struggle to understand what it means to be on supervision and probation and need “counseling.” For other families, in particular African American families, the challenge rests in convincing them to work with juvenile court officials given their high degree of mistrust of the justice system.

One official in Pinal County noted that it was very difficult to answer this question in light of the high number of multiracial families that come into contact with the justice system. This official indicated that the system at some point should be responsive to these changing demographics and not merely place individuals and groups into convenient race and ethnicity categories.

3. Are there policies or practices - at any stage in the system-- that you think have led to racial/ethnic disparities in Pinal County?

Nearly every official interviewed from Pinal County mentioned schools as playing an instrumental role in the number of minority youth who enter the justice system. This is consistent with the case file data for Pinal County, which showed that every Native American youth and 4 out of 5 African American and Latino/a youth had been suspended or expelled from school. At length, officials described cases where school officials were quick to call law enforcement for behavior that did not warrant police intervention. They described how zero tolerance school policies have significantly affected minority youth, especially youth with emotional and behavioral problems. Officials perceive schools as not understanding the various risks and needs of youth under court supervision and want such youth off their campus. Several officials noted that schools have a very low threshold for youth under supervision. They felt that youth on juvenile probation are subject to high monitoring and surveillance by teachers and school officials, which increases their chances of being written up or referred to the court. One official described instances where schools encourage parents of youth on supervision to seek an alternative school rather than subjecting the student to suspension or expulsion. Parents, who are often frustrated with how their son/daughter is responding in that school environment, transfer

the student to a different school, only increasing the gap in school knowledge and falling further behind.

Slightly more than half of the officials (54%) noted the role of law enforcement as a contributing factor in racial/ethnic disparities of youth. They indicated that police presence in high crime areas naturally translates into more youth referrals from those communities. While these officials seemed fairly aware of the challenges faced by youth who live in high crime, high poverty areas, one official did mention the need for probation officers and court officials to be far more aware of the issues that youth and their families face in their communities.

4. Are there policies or practices that you think have helped to reduce racial/ethnic disparities in Pinal County? Are there strategies that you think might work better, that you would like to see tried out?

An overwhelming majority of officials (83%) were not aware of policies or practices that were reducing racial/ethnic disparities. Some officials mentioned their revised detention tool and their incentives and sanctions in working with youth as two strategies that will likely lead to fewer disparities in outcomes and increase effectiveness in working with youth to reduce DMC in Pinal County. A few officials mentioned JDAI but they were not sure how it would impact larger systemic problems faced by families who come into contact with the justice system.

When asked about what policies or practices they would like to see implemented to address racial and ethnic disparities, most officials (88%) mentioned family-centric services. Importantly, officials in this jurisdiction described their role as court officials as one that involved working with youth *and* families. They described their duties as quite intertwined with regard to serving youth and family needs. From their perspective, the court must assist families if it intends to improve the well-being of delinquent youth. Also desired was a mechanism whereby parents, especially single mothers, can have a support group and share information about available resources.

One quarter of officials also thought that community members were central in addressing the needs of youth, and suggested that open dialogues with community members about the role of the juvenile court and its intent on helping youth and families would reduce the disconnect that many officials believe exists. Such discussions should include school officials and law enforcement, given the sometimes strained relationships that exist between these entities.

Several officials (17%) noted that efforts should be put into place that increase the capacity of diversion where youth are not merely monitored but rather afforded access to training programs and programs that develop life skills. They discussed disseminating information about resources to these families to ensure access to needed services.

Lastly, in responding to this question, along with other questions, over a quarter of officials (29%) mentioned the need to have court documents translated into Spanish, especially the probation terms which constitute the crucial contract between the court and the youth. Also, noted was the need for a workforce that is diverse and mirrors the community it represents.

## *Gila County Analysis*

### 1. What factors do you think might explain racial/ethnic differences in juvenile court outcomes in Gila County (outcomes may refer to any stage in the process)?

In order to identify what factors were noted by officials, we examined information gathered from interviews with probation and court officials. All staff mentioned one or more of the following factors that, according to them, may explain DMC: (1) assumptions in small communities that if one child in a family has been in trouble with the law, the other children will be troublemakers as well; (2) cultural stereotypes, particularly regarding Native Americans; (3) transportation difficulties; and (4) related inaccessibility of drug court and other resources for youth from San Carlos Reservation and other outlying areas.

The case file data for Gila County indicated that delinquent siblings were a contributing factor to the overrepresentation of Native American and Latino youth. Consistent with this finding, one official told us that in small communities, if one child in a family is known to law enforcement and a sibling is brought in, it may be assumed that the sibling is also a bad kid. One-half of the court officials also suggested that Native American youth, especially those living on tribal land, are treated more harshly than White youth if they are caught drinking or using drugs. They attribute this to a combination of cultural biases about Native Americans and alcohol and to the more structural problem of drug courts not being very accessible to families living on the San Carlos Reservation. Half of the officials interviewed also suggested that more work needs to be focused on making drug courts culturally sensitive if they are to be an effective treatment for all youth, and the lack of knowledge of the court system among some Native American parents is a problem.

All of the officials interviewed raised transportation concerns, stating that parents in San Carlos and other outlying areas may encounter difficulties attending other court hearings due to transportation problems. Most officials (75%) added that transportation issues are compounded by a lack of appropriate resources for youth living on tribal land and in other outlying areas. Because drug courts are not offered outside traditional work hours and are not available in outlying areas, some families are unable to participate in drug court. Notably, the youth in these outlying areas are predominantly Latino or Native American.

Finally, one official noted that Payson is a transient community, and as a result there is a discontinuity of services as people move in and out of the community.

### 2. Are there differences you have noticed in how kids from different racial/ethnic groups become involved in the juvenile justice system?

As noted above, 50% of the officials felt that Native American youth are treated more harshly than White youth, especially for drug offenses. In elaborating on this pattern, one official mentioned that for the past year, youth with any sort of drug offense, include possession of paraphernalia, are not being recommended for diversion by the County Attorney. Another stated that there are a lot of alcohol, substance abuse, and shoplifting (often of alcohol) charges among youth from San Carlos Reservation, but very few burglaries or assaultive behaviors. Latino and White youth are more apt to be arrested for a variety of different types of charges.

3. Are there policies or practices - at any stage in the system-- that you think have led to racial/ethnic disparities in Gila County?

Resources and transportation were identified by all court officials interviewed as key factors that impacted how policies and practices operate. The shortage of services in Globe and San Carlos Reservation relative to Payson was identified by half of the officials as a critical factor leading to disparities in outcomes. Payson is a more affluent community and has more services and volunteers available to assist youth. Globe, which is a heavily Hispanic mining community, and San Carlos Reservation do not have mentoring programs or after-school sports activities with the exception of Little League baseball. One court official stated that the county needs to have more mentors for the youth, especially male mentors for the boys, but given the distance of 90 miles to Phoenix it is very difficult to bring in mentors on a regular basis.

As noted above, half of the respondents suggested that transportation difficulties often precluded juveniles on the San Carlos Reservation, as well as from Hayden, Winkelman, and other rural areas, from participating in drug court. Transportation problems also arise within the migrant Hispanic population, especially if parents are undocumented and do not have valid drivers licenses (although it was also noted that youth in undocumented families tend to avoid getting into trouble, at least in part due to fear that so doing could result in family members being deported). Access played out in a different way on tribal land. One official noted that home checks and other aspects of probation supervision are complicated on tribal land because probation officers must ask permission to come onto the reservation, and they are prohibited from carrying firearms. Due to fears for their safety, especially given the presence of gangs on the reservation, probation officers inform the tribal police that they will be making night checks unless and until they get to know the family and feel comfortable going to that home. It should be noted, however, that another officer stated that transportation is not a major issue for meetings with probation officers, as the probation officers are now going out into the field more often.

Language and culture also emerged as an issue. Twenty-five percent of respondents said that the court has sufficient translators and bilingual staff, and language is no longer a major problem, but another 25% of the officials interviewed disagreed, stating that language differences continue to cause serious problems, especially in working with parents. They noted that translation services must be scheduled around the probation officer's schedule, the parents' work schedules, and the availability of translators

4. Are there policies or practices that you think have helped to reduce racial/ethnic disparities in Gila County? Are there strategies that you think might work better, that you would like to see tried out?

The risk assessment tool for detention was mentioned by one-half of the officials whom we interviewed. They note, though, that there is sometimes tension with law enforcement as a result, since local law enforcement had put youth in detention whenever they could not locate a parent or obtain medical clearance for a youth. In the past, detention took these youth, but now they are refusing youth who do not meet the risk level for which detention is identified as appropriate.

Court officials were unanimous in stressing the need for mentoring programs and pro-social activities for youth, and for programs aimed at educating and empowering parents. One official also suggested the need for additional research on adolescent development and how to best treat maturing children, rather than using the same rehabilitation tools used for adults.

Finally, cultural issues, such as what is understood to be appropriate eye contact with authority figures, was discussed by 75% of the court officials. These officers identified cultural misunderstandings, insufficient coordination with tribal governments, and lack of resources to meet cultural as well as individual needs continue to be sources of difficulty. One probation officer lived on the San Carlos Reservation for several months, and the resulting cultural understanding has been very important for improving relations between the court and the local community. In sum, additional resources to meet individual and cultural needs, especially for Native American youth and their families, was identified as key to reducing disparities.

### *Cochise County Analysis*

#### 1. What factors do you think might explain racial/ethnic differences in juvenile court outcomes in Cochise County (outcomes may refer to any stage in the process)?

All officials and service providers in Cochise County identified mentioned one or more of the following factors that, according to them, may explain DMC: (1) cultural stereotypes and biases on the part of law enforcement and court officials, coupled with lack of understanding of basic legal procedures on the part of many youth and family members; (2) lack of resources and family support; (3) opportunities for serious illegal activity because of the proximity to the border; and (4) reliance on detention when other options are not available as factors that may explain racial/ethnic differences in court outcomes.

Cultural stereotypes, particularly regarding dress and hairstyle, were noted as an area of concern by 20% of the officials and service providers interviewed, as these could lead to assumptions that a youth is a troublemaker when he or she is not. Some (13%) also commented that in past years there were disparate outcomes based on the family's socio-economic status, but of those who saw this link, two-thirds thought the disparity had improved in recent years. Almost half (40%) of respondents noted that lack of understanding of cultural differences by court officials and law enforcement were an issue, and this intersected with a lack of understanding of basic legal procedures in some communities, and especially Native Americans. One official offered a helpful example, stating that if you are brought up in a culture in which you should not complain then you will not speak up, even to assert your innocence, and this is especially problematic if you are not well educated and do not understand the court process. As a result, conversations with probation officers and judges become one-sided, without youth speaking up for themselves. Twenty percent of the interview respondents noted a related difficulty in Hispanic communities, where residents are fearful of engaging law enforcement, largely due to concerns that family members might be deported. These officials suggest law enforcement and court officers could do more to become involved in positive ways with the local communities, thus building trust. Better understandings of cultural differences and improved efforts at communicating with the youth and their families would be quite helpful, according to 40% of our respondents.

Lack of resources was also noted by 40% of respondents, both in outlying areas and in Sierra Vista, which is a military and retirement community with few pro-social activities for youth. Of those raising concerns about lack of resources, half added that additional efforts are needed to involve families in treatment and gain the trust of family members, including members of the extended family.

Almost two-thirds (60%) of officials spoke with us at length about the special challenges posed by the county's proximity to the border, especially with regards to transporting migrants or drugs across the border. Because of the nature of trafficking offenses, outcomes are more serious. Twenty percent of the respondents noted that court and law enforcement officers encounter difficulty talking with the parents in Douglas and other border communities due to language barriers.

One-quarter (27%) of officials interviewed stated that detention is also more likely to be employed when other resources are not available, and this is particularly a problem for girls who are sometimes detained for their own protection. For example, there is only one counseling agency with a contract for probation, and they are in Sierra Vista. As a result, unless a youth is on Title 19 Medicaid, the courts do not have access to resources closer to home.

2. Are there differences you have noticed in how kids from different racial/ethnic groups become involved in the juvenile justice system?

Offense type and immigration status were identified as key factors by one-half of the court officials and service providers. As noted above, 60% of the court officials reported that Latino youth are involved in drug trafficking across the border. It is an easy way to make money, and as a result teenagers are being recruited into drug activities. For example, youth may be promised \$200 to pick up drugs thrown over the fence, and then run with the drugs to a car or house nearby. Twenty percent of the officials and service providers interviewed suggested that drug use and sales is sometimes a family business. However, a supervisor told us that drug trafficking was a bigger problem in the past than it is today.

Some respondents speculated as to how race might relate to other offense types. For example, one official suggested that runaways tend to be White youth, and that there appears to be more violence and anger among African American and Native American youth, but this may be because the youth are in placement and not with their parents.

Twenty percent of the court officials interviewed mentioned a situation in Douglas in which mothers were giving their drug dealers sexual access to their daughters, and these girls were detained for their own protection. More broadly, 40% of the respondents felt that girls from Douglas may become caught up in drugs and promiscuity because it is a border town.

Twenty percent of the respondents mentioned immigration status, stating that in the past, if a foreign national was in trouble, they would automatically be detained. Now, however, court officials have better success working with the families so they will come back to the US for their court dates.

Finally, 60% of the court officials interviewed noted that poverty is a serious problem, especially where this coincides with parental substance abuse or neglect. Most of the youth in detention live in poverty, and this adds complications, both because of a shortage of resources and because of the associated stresses. Race/ethnicity and social class, it was noted, converge in many communities.

3. Are there policies or practices - at any stage in the system-- that you think have led to racial/ethnic disparities in Cochise County?

If detention is not an appropriate outcome, then typically the youth would be sent home with his or her parents. Thirteen percent of respondents noted, however, that when parents are undocumented, they are not able to come to court. Their children, thus, stay in detention longer because there is no one to whom the judge can release them. As a result, the judge may involve Child Protective Services in the case, making it far more complicated for everyone.

Twenty percent of the officials interviewed noted that language barriers arise at every stage of the juvenile justice process. One official contextualized the problem for us, using the example of a referral for running away. They would not want to place the youth in detention, but the probation officer needs to talk with the parents about consequences through diversion and other programs, and translators may not be available. This is particularly a problem in the Wilcox and Douglas areas. As was discussed above, 40% of the officials stated that there is a critical need for greater understanding of cultural differences on the part of police, public defenders, probation officers, and service providers, and one official stressed the importance of hiring more staff who are themselves Native American.

4. Are there policies or practices that you think have helped to reduce racial/ethnic disparities in Cochise County? Are there strategies that you think might work better, that you would like to see tried out?

A number of strategies were suggested, with a particular focus on (1) addressing transportation and translation needs; (2) improving cultural understandings; (3) reducing reliance on detention with the new risk assessment tool; and (4) educational and other services.

The need to better address transportation problems was raised in 40% of the interviews. Examples were given of families that live 60-100 miles from court and cannot afford the gas to get to court. As a result of a missed court appearance, a warrant could be put out and the youth would immediately be taken into custody if picked up by the police. One-quarter (27%) of officials and service providers mentioned the willingness of probation officers to drive youth and their families to court and to mandated programs. Indeed, these officials told us that this is now a norm for juvenile probation in the county. Having probation officers regularly provide rides for youth and parents is seen by these officers as going a long way to address what had been pervasive transportation problems, and the long drives offer opportunities for conversation and building trust. One officer added, however, that some parents may not ask for transportation assistance due to cultural norms against asking for help. Two officials (13%) suggested that transportation problems will be mitigated by plans to hold court one day a month in Douglas. Notably, one official told us that this will begin in January of 2014 while another said that it

began in September, suggesting that internal communication within court services could be improved.

Twenty percent of respondents raised concerns about language barriers. Two-thirds of those mentioning language barriers felt that translation services had improved in recent years, but they all felt insufficient translation services continued to be a problem. Introduction of an on-call interpreter to assist with communication with parents was seen as helpful. This on-call interpreter program operates in similar fashion to having judges on call. Respondents noted that the language barrier is exacerbated for Asian families who do not understand English and who, like Native Americans, are unlikely to speak up when interacting with court officials.

The importance of teaching court officials about different cultures was also raised by almost half (40%) of the officials and service providers. Sierra Vista's military families, for example, come from a wide range of backgrounds. Another suggestion was to invite tribal members to provide court officials with training regarding cultural differences in child rearing, youths' understandings of what to do when they get into trouble, and what strategies will best ensure that this is the first and last time a youth becomes involved with law enforcement. One official provided an example of a Navajo youth who was in detention and was very upset, convinced he had been cursed, and it was critically important that a Native person who understood his traditional beliefs was available to talk with him and calm him down.

The use of the risk assessment indicator was noted by 40% of our respondents as a means of reducing racial and ethnic disparities in detention. At the same time, 13% of respondents noted that local police are frustrated because they can no longer use detention as widely as in the past, and 7% felt that police engage in racial profiling. This would not be such a problem if secure shelters were available, but in their absence some police officers do not understand why the court system will not help law enforcement out when they do not have another place for the youth.

The new online high school was discussed by one official, who saw it as a significant step forward. This school was piloted in Sierra Vista, runs in Douglas, and a third school is starting in Benson. The official who told us about the online school noted that a student taking this course did not want to leave detention until he received his diploma, saying that if he went back to his community, he would not be able to focus on his educational goals. Yet other officials (13%) stressed the need to engage youth in the system as minimally as possible, so they do not become entrenched in it, and to find programs for the youth, whether they are in detention or released. Finally, one officer proposed creating a 24-hour call center where an on-duty probation officer could field calls from youth who are asking permission to go out past curfew to run an errand for a parent (e.g., to get milk or diapers the parents need for a younger sibling) or for other reasons that they perceive to be emergencies, suggesting that this would reduce probation violations.

## **IV. Discussion: Policy Recommendations and Implementation Strategies/Interventions**

This report presents a number of findings from a DMC assessment of Arizona's juvenile justice system. The purpose of the DMC assessment was to identify the possible causes or factors that contribute to minority overrepresentation. Information derived from the assessment should direct policymakers on appropriate strategies and interventions for reducing DMC. Below we present a brief summary of findings from our assessment and outline various policy recommendations based on our cumulative findings and the current state of research on DMC and juvenile justice.

Findings from our extensive analyses of JOLTS data reveal that racial and ethnic disparities exist at various court outcomes, net of relevant controls. However, the magnitude of such race/ethnicity effects has declined over the years (from 2005 – 2010). The predicted probabilities presented in this report show how racial and ethnic minorities fare in court outcomes relative to their similarly situated white counterparts. At the diversion stage, Native American youth in three counties (Gila, Maricopa, Pima), relative to other racial/ethnic minorities, had the highest probability of being diverted. At the pre-adjudication detention stage, Native American youth in two counties (Coconino, Pima) had the highest probability of being detained. At the petition phase, Native American youth in six counties (Apache, Gila, Maricopa, Pima, Pinal, Yuma) had the greatest probability of being petitioned relative to their counterparts. Latino youth had the highest probability of being petitioned in four counties (Gila, La Paz, Mohave, Yavapai), as did White youth in three jurisdictions (Coconino, Graham, La Paz) and African American youth in two counties (Cochise, Yuma). At the adjudication stage, Native American youth in four counties (Coconino, Pima, Pinal, Yuma) and White youth in four counties (Graham, La Paz, Maricopa, Santa Cruz), followed by Latinos in two counties (Coconino, Mohave), had the highest probability of being adjudicated. White youth in five counties (Apache, Maricopa, Mohave, Navajo, Yuma) had the greatest probability of being on probation followed by Latino youth in three counties (Cochise, Coconino, Pima). Lastly, Native American (in Maricopa), Latino (in Mohave), and African American youth (in Pima), had the highest probability of being committed to ADJC.

Two points are worth noting about these findings. First, while racial and ethnic minorities were overwhelmingly more likely to receive more severe sanctions than their white counterparts, this pattern was certainly not universal. White youth in certain jurisdictions were more likely to receive more severe court outcomes than similarly situated racial/ethnic minorities. Second, among all racial/ethnic groups examined, Native American youth were subject to both leniency (higher probability of diversion) and more severe court outcomes (higher probability of case petitioned and adjudication), revealing the need to examine all racial/ethnic groups in future analyses. Also, the racial disparities experienced by African American youth were few, relative to other examined racial/ethnic groups.

Findings from our case file review indicate that factors highly correlated with race/ethnicity vary across jurisdictions. These external (e.g., peers, school, family) and internal (e.g., psychological, youth attitude) attributes present great challenges for justice officials responding to delinquency, in large part because situational factors or life circumstances play a critical role in how youth and

families respond to interventions by the justice system. While these factors are over-represented in historically underserved, underrepresented populations, they are often compounded among youth and families who enter the justice system. In our review of the 330 case files, we did not find any statements evidencing negative racial/ethnic stereotypes by justice officials. Given the discretion of officers and options for treatment, officers recommended, in their mind, the most viable and suitable forms of supervision, treatment and services. Importantly, the purpose of our review of these data was to identify possible causes or factors that contribute to minority overrepresentation, and not to identify whether officials used data-driven or evidence-based practices in responding to youth and their families. Such a review is far beyond the scope and purpose of this DMC assessment.

Interviews with officials provided valuable insights and nicely supplemented the official data and case file information we reviewed. We found officials exceptionally committed to helping youth and to reducing racial/ethnic disparities in outcomes. Officials were extremely thoughtful in their responses and committed to serving youth who enter the juvenile justice system. Youths' families and communities were described in great detail by officials, revealing a high degree of awareness and insight on delinquency. They were also very aware of how institutions such as law enforcement and schools directly shape juvenile justice practice and policy.

Overwhelmingly, officials desire greater access to family-centric programs that improve family functioning. From their perspective, improving the well-being of the family will address many of the needs of youth. Finally, we draw attention to the importance of considering compounding adversities (e.g., poverty, inaccessibility to programs and resources, school difficulties, gang involvement, drugs, cultural and language barriers) in developing intervention strategies, and note that these compounding adversities are especially evident for Native American youth and their families.

As noted above, focus should now shift to identifying intervention strategies that will reduce minority youth overrepresentation and meet the needs of each jurisdiction. A few practical points about the data and proposed interventions are worth noting before we move to the policy recommendations. First, we recommend, as does OJJDP, that local jurisdictions rely on the results from this assessment to guide decision-making associated with determining what strategies and interventions should be implemented. We encourage the use of data at the county level, given that state analyses merely mask racial/ethnic effects. Further, multivariate analyses should continue to be conducted to monitor the race/ethnicity disparities reported here. Such analysis should be sensitive to the specific decisions points where disparities were found. Second, agencies such as Annie E. Casey Foundation, the MacArthur Foundation, and the Haywood W. Burns Institute have a presence in the state and should work with researchers who conducted this assessment to collectively promote data-driven practices.

Our data analyses have led us to propose the following policy recommendations, all of which support evidence-based programs or practices and draw on successful DMC initiatives. These recommendations are consistent with best practices as identified by the research community. See, for example, Parsons-Pollard (2011) and the Office of Juvenile Justice and Delinquency Prevention's DMC-Reduction Best Practices Database (U.S. Department of Justice OJJDP, n.d.).

Policy Recommendation #1: Increase prevention and intervention programs that address the various needs of at-risk youth, especially positive relationships with family

The majority of officials interviewed expressed a gap in various services including skill development, vocational training and family involved interventions. We echo their sentiment and, based on our review of the family dynamics at play in the case files we reviewed, we encourage the creation and expansion of programs that are family centered in nature.

*1a. Programs should be identified that focus on familial relationships (e.g., family therapy and parent training) and that can be made readily available, especially for single parent families.*

Programs that increase the quality of the parent-child relationship and show how to use effective discipline strategies will have a significant impact in preventing future anti-social behavior among youth. Family strengthening programs which focus on changing problematic patterns of interaction and communication within families would also have a significant impact on youth and families.

*Functional Family Therapy (FFT) and Multisystemic Therapy (MST)* should be at the forefront of these discussions, where the goal is to increase family functioning and reduce ineffective parenting, ultimately increasing a positive child-parent relationship. *Family Centered Treatment (FCT)* is also worth exploring, especially for those families that have faced a multitude of adversities and disruptions.

1b. Identification of appropriate strategies should be determined in concert with officials working directly with youth to ensure that the approach proposed has agent support.

Strategies should connect the youth and families with social networks and service providers to facilitate development of social and vocational skills, with specified objectives against which the youth's progress may be evaluated. In addition to juvenile court officials, a community advocate might assist in identification of the most appropriate direct services for each youth.

Policy Recommendation #2: Collaborate with school districts to support skill development and educational attainment of justice involved youth

Case file data and interviews with key informants all point to the importance of schools in reducing or exacerbating DMC. Local jurisdictions must find ways to more formally engage schools in discussions about racial/ethnic disparities in the justice system.

*2a. Identify school districts with a high number of referrals to determine what led to the referrals and what is needed to coordinate services and promote school engagement.*

The relationship between the justice system and schools as described by those interviewed could be significantly improved. An open dialogue about the collateral consequences resulting from

school referrals (whether warranted or not) will go a long way to reducing the tension that exists between schools and the justice system.

*2b. County officials should actively seek ways to keep youth in school.*

Support for existing efforts, such as those spearheaded by the Maricopa County Education Service Agency Youth Transition Advisory County, would be a useful starting point.

#### Policy Recommendation #3: Improve access to resources and services in outlying areas

The need for improved access to resources and services in outlying communities manifests in several ways. Youth and parents living in rural areas or on tribal land sometimes encounter transportation difficulties causing them to miss court appearances. In some cases, youth are unable to participate in programs, such as drug courts or mental health programs, because they are too far away and only offered during regular work hours. Some jurisdictions are piloting new models, such as holding juvenile court once a month in different parts of the county, or encouraging probation officers to regularly offer rides so youth and families do not miss hearings (this also provides an opportunity for informal conversation).

*3a. Encourage and pilot creative strategies to improve accessibility, including additional drug courts, expanded hours for drug courts, and holding court in additional sites.*

Pilot programs should be geared especially towards facilitating involvement of parents and other family members in the youth's court hearings and treatment services.

#### Policy Recommendation #4: Disseminate data and create a culture of transparency

Communication within and between agencies, and between agencies and local communities, will go far to create a culture of transparency and build trust.

*4a. Data are being shared internally, and this should continue.*

*4b. Improve communication, data sharing, and coordination between court services and local communities, including schools, law enforcement, and with community members.*

Increased communication and interactions would enhance trust between local communities and court and law enforcement officials. Tribal governments could be called upon to help identify potential resources that could assist Native American youth and families. Community forums would provide a means for court officials and community members to discuss the patterns identified in the data, provide families and neighbors with information about the courts and probation services, and offer an opportunity for court officials to learn from community members about difficulties or misperceptions they have identified. They might also lead to new after-school and mentoring programs, which is beyond the scope of court services but would benefit youth. These forums should be held in multiple locations within each county so that community members in outlying areas or on tribal lands are able and feel encouraged to participate.

#### Policy Recommendation #5: Identify what training is desired by staff and provide it

Many of the officials we interviewed did not feel culture diversity training was lacking in their counties. Others felt that additional training specific to understanding cultural and communication norms among Native American populations, and to a lesser extent Latino and Asian immigrant parents, would be useful. Further, we did not find evidence of racial/ethnic stereotypes permeating among officials. However, some officials did note that officers were not aware of how certain risk factors, when used to impose more formal social control, disproportionally affected minorities. Accordingly:

*5a. We encourage county officials to identify what type of training is most desired by staff and assess how it complements the cultural diversity training curriculum.*

Some court officials also expressed interest in learning more about the latest research on social problems (e.g., substance abuse, child welfare, poverty) that plague Arizona families and communities.

*5b. Consider research forums through which court staff are exposed to the latest research findings.*

Psychologists, social workers, criminologists, and other researchers and practitioners could inform court officials regarding approaches for addressing psychological and social problems, including the intersection of poverty and race/ethnicity as this affects youth and families.

#### Policy Recommendation #6: Monitor ongoing efforts routinely to reduce redundancy in efforts

There are various initiatives taking place across jurisdictions in Arizona. Whether the focus is on detention alternatives or crossover youth, counties and the state should leverage their activities and coordinate efforts to ensure that resources are used wisely and that fidelity in evaluation of such efforts is made possible.

*6a. County and state actors should prioritize initiatives to ensure maximum effort is directed to supporting key strategies.*

County officials should also not merely note that DMC is being addressed by various ongoing projects. In order to be effective and to sustain efforts to reduce overrepresentation of minority youth, data collection and monitoring of intervention strategies will be crucial.

*6b. Opportunities to learn from pilot programs and initiatives in other counties should be encouraged*

Sharing experiences offers counties and opportunity to learn from one another's experiences, test them in different conditions, and further refine the most promising strategies. Officials should also carefully review other practices shown to be effective in reducing DMC, such as diversion programs that divert youth from formal court processing, and offer alternative programs such as restorative justice programs and meaningful community service. These strategies have been shown to be effective in certain jurisdictions in Arizona and should be supported to a greater extent.

Policy Recommendation #7: Sort inter-governmental relations to ensure the state can sustain DMC efforts

We encourage local and state officials to identify the role they want to play in addressing DMC. This should include a discussion about the role and function of the DMC Coordinator and the DMC Committee.

*7a. Develop a strategic plan for DMC oversight and activity to reduce confusion about the mandate and redundancy in efforts.*

The representation of the DMC Committee should be discussed to ensure that key, vested parties are represented in this statewide committee. Importantly, the focus of the DMC Committee does not merely have to be on sharing data, but rather, can expand to assist in evaluations of interventions, provide technical assistance on issues identified by the counties, and even serve as a forum for conferences for all agents of the justice system and related agencies. Such activities would ensure that the state funded interventions are data driven, supported, and needed by counties (Leiber, 2002; see also Parsons-Pollard, 2011). Importantly, officials should also consider whether other models, like the one in Iowa that has a DMC Resource Center, are more feasible. The Iowa Center assists counties with a range of activities aimed at reducing overrepresentation of minority youth in the juvenile justice and child welfare system.

In conclusion, this comprehensive, multi-method analysis of DMC in Arizona was based on multivariate analysis of secondary data from the AZJOLTS for each racial/ethnic group, for each of six outcomes, across all 15 counties and for the state as a whole, for six years (total of 576 separate models); analysis of juvenile delinquency case file content (330 cases across three counties); and interviews with juvenile system officials and service providers who work directly with youth (106 interviews across four counties). As requested, we also calculated Relative Rate Indices, but since these are too often misleading, we attach them in a separate report and do not discuss them here.

We commend the Governor's Office for Children, Youth, and Families and the counties for their efforts to identify and reduce disproportionate minority contact within the juvenile justice system in Arizona. Racial and ethnic disparities have reduced over the years studied, and a number of initiatives are in place or being considered that may further reduce disparities. We urge counties to continue their efforts to identify mechanisms such as unequal access to services and resources, especially in large rural counties, and interactions among local police, school officials and the courts that may result in disparate outcomes. We also urge continued efforts at improved communication and data sharing across jurisdictions and with community members in order to learn from one another, increase efficiencies, and enhance transparency.

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## Appendix A. Empirical Model

We were asked to provide one model depicting the coefficients from the Phase 1 analyses. We were also asked to provide a model with multiple race/ethnicity effects. Below is one such model followed by the predicted probabilities graph.

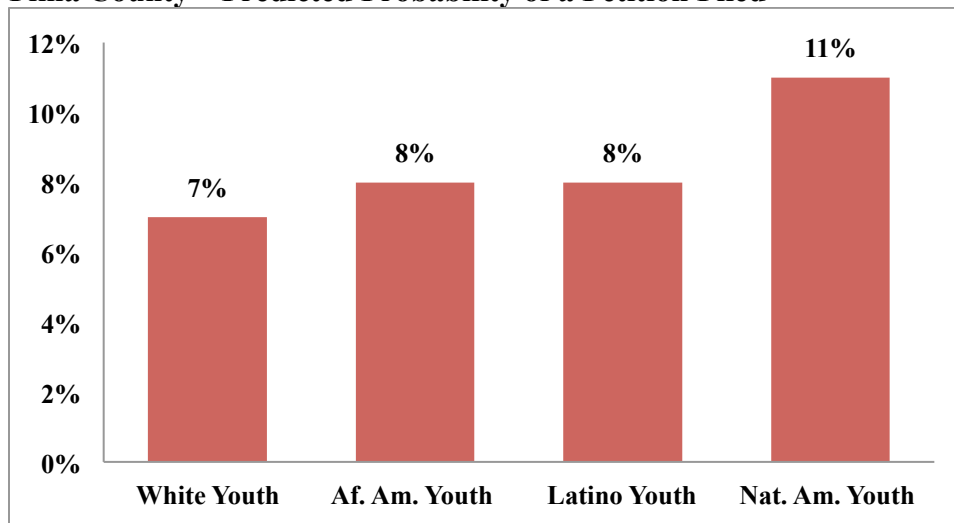
Estimates of Petition Outcome - Pima County 2010

	<i>b</i>	S.E.
Intercept	.03	.23
<i>Level 2</i>		
Community Disadvantage	.07*	.03
<i>Level 1</i>		
Sex	-.77*	.05
Age	.02	.01
African American	.12*	.09
Latino	.13*	.06
Native American	.45*	.12
Dependency	.40*	.14
Priors	.07*	.00
Low Risk	-1.32*	.09
Medium Risk	-.82*	.08
Obstruction of Justice	-1.28*	.06
Misd- Property	.171	1.4
Drugs	-2.70*	1.07

Note: Only predictors with enough cases were included in the model. White youth, boys, high risk level, and felony property offenders represent the reference category.

\* $p < .05$

Pima County – Predicted Probability of a Petition Filed



Measures: Boy, 16 years old, 1 prior referral, 1 prior dependency referral, low-risk, obstruction of justice referral, and mean community disadvantage.



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